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City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

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MEETING MINUTES

Tuesday, September 12, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Michela Alioto-Pier.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

Supervisor Alioto-Pier was excused from attending today's meeting.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Dufty, moved to approve the August 1 and August 8, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Alioto-Pier Excused from Attendance

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

CONSENT AGENDA

Items 1 through 10

Recommendations of the Budget and Finance

3 1223 07087 1232

Committee

060852 [Requiring that the acceptance and expenditure of any grant that would result in the creation of new City positions be approved by an ordinance that includes an appropriate amendment to the Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 10.170-1, to require that the acceptance and expenditure of any grant that would result in the creation of new City positions be approved by an ordinance that includes an appropriate amendment to the annual salary ordinance.

Enacted Number: 230-06

FINALLY PASSED.

060991 [Planning Code - Fee Adjustments]

Ordinance amending the San Francisco Planning Code by amending Section 350 and 352 of Article 3.5 to adopt fees for Planning Department services related to appeals to the Board of Supervisors and provide for annual adjustments of said fees; and making environmental findings.

Enacted Number: 231-06

FINALLY PASSED.

Recommendations of the City Operations and Neighborhood Services Committee

060845 [Extending existing restrictions on parking commercial vehicles in specified use districts to include vehicles with a gross combination weight rating in excess of 10,000 lbs.] Supervisor McGoldrick

Ordinance amending the San Francisco Traffic Code by amending Sections 63 and 63(A) to extend the restrictions on parking certain commercial vehicles in specified use districts to include vehicles with a gross combination weight rating in excess of 10,000 lbs. (Parking and Traffic Department)

Enacted Number: 227-06

FINALLY PASSED.

061141 [Sole source procurement of interior furniture/workstations and movable partitions for the San Francisco Main Library Renovation] Supervisor Ma

Ordinance waiving the competitive requirements of San Francisco Administrative Code section 21.1, and authorizing the Purchaser to negotiate and issue a purchase order for interior furniture/workstations and movable partitions for the San Francisco Main Library from One Workplace, a Steelcase distributor, as a sole source.

Enacted Number: 233-06

FINALLY PASSED.

Recommendation of the Government Audit and Oversight Committee

060892 [Revenue Control Equipment requirements for Parking Garages and Lots] Supervisors McGoldrick, Daly

Ordinance adding Article 22 to the Business and Tax Regulations Code, amending Article 9 of the Business and Tax Regulations Code, and repealing Article 49 of the Police Code, to establish revenue control equipment functionality and business practices requirements for purposes of Parking Tax collection and consumer protection, to establish penalties for violation, to require that parking garage and lot operators certify concurrent with payment of Parking Taxes their use of revenue control equipment that meets those requirements, and establishing a limited Parking Tax amnesty program.

(Fiscal impact.)

Enacted Number: 234-06

FINALLY PASSED.

Recommendation of the Land Use and Economic Development Committee

060701 [Adopting disability access standards for the Sunday closure of JFK Drive] Supervisor McGoldrick

Ordinance amending the Park Code by adding Section 6.12 to adopt disability access standards and authorized vehicular traffic use for the Sunday closure of John F. Kennedy Drive and related roads in Golden Gate

Park and making environmental findings.

Enacted Number: 229-06
FINALLY PASSED.

Recommendations of the Rules Committee

061126 [Settlement of Lawsuit - Gustavo A. Cubillo]

Ordinance authorizing settlement of the lawsuit filed by Gustavo A. Cubillo against the City and County of San Francisco for $50,000; the lawsuit was filed on May 17, 2004 in San Francisco Superior Court, Case No. 431-445; entitled Gustavo A. Cubillo, et al. v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 232-06
FINALLY PASSED.

061127 [Settlement of Lawsuit - CCSF v. Gregory P. O'Keeffe and Lydia Collins]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Gregory P. O'Keeffe and Lydia Collins, in the probate matter of The Estate of Dorothy Frances Boyesen, for $40,000.00; the lawsuit was filed on August 20, 2004 in the San Francisco Superior Court, Case No. PES-04-285738; entitled The Estate of Dorothy Frances Boyesen; City and County of San Francisco v. Gregory P. O'Keeffe and Lydia Collins. (City Attorney)

Enacted Number: 226-06
FINALLY PASSED.

061180 [Appointment - Foster Care Improvement Task Force]

Resolution appointing Toby Eastman, Patricia Scott, Patricia Nelson Doyle, Connie R. Davis, Karey Fenderson, Joanna Uribe, Crystal Baik, Michele Byrnes, Maria Ramiu, Leona Cannon-Hunter, Lanette Scott and Bill Bettencourt, terms ending August 31, 2007, to the Foster Care Improvement Task Force, residency requirement waived.

Toby Eastman (residency requirement waived), new appointment, seat 3, must be a representative of a neighborhood organization from South of Market/Tenderloin, for the unexpired portion of a two-year term ending

August 31, 2007. Patricia Scott, new appointment, seat 5, must be a representative of a neighborhood organization from Western Addition, for the unexpired portion of a two-year term ending August 31, 2007. Patricia Nelson Doyle (residency requirement waived), new appointment, seat 6, must be a representative of a neighborhood organization from Bayview/Hunter's Point, for the unexpired portion of a two-year term ending August 31, 2007. Connie R. Davis, new appointment, seat 7, must be a representative of a faith-based organization, for the unexpired portion of a two-year term ending August 31, 2007. Karey Fenderson, new appointment, seat 8, must be a representative of a childcare organization, for the unexpired portion of a two-year term ending August 31, 2007. Joanna Uribe (residency requirement waived), new appointment, seat 9, must be involved in engagement and community planning, with expertise working with African-American and Latino families, for the unexpired portion of a two-year term ending August 31, 2007. Crystal Baik, new appointment, seat 10, must be a representative from a domestic violence organization, for the unexpired portion of a two-year term ending August 31, 2007. Michele Byrnes (residency requirement waived), new appointment, seat 11, must be a representative from an organization dedicated to serving emancipated youth, for the unexpired portion of a two-year term ending August 31, 2007. Maria Ramiu, new appointment, seat 12, must be a representative of a foster care advocacy organization, for the unexpired portion of a two-year term ending August 31, 2007. Leona Cannon-Hunter, new appointment, seat 13, must be a foster care parent, for the unexpired portion of a two-year term ending August 31, 2007. Lanette Scott, new appointment, seat 14, must be an emancipated youth, for the unexpired portion of a two-year term ending August 31, 2007. Bill Bettencourt, new appointment, seat 15, must be a representative of a child welfare organization, for the unexpired portion of a two-year term ending August 31, 2007.

Enacted Number: 522-06

ADOPTED.

061181 **[Appointment - Lead Hazard Reduction Citizens Advisory Committee]**

Resolution appointing Carla Johnson, term ending December 31, 2006, to the Lead Hazard Reduction Citizens Advisory Committee.

Carla Johnson, succeeding James Hutchinson, resigned, seat 2, must represent the Department of Building Inspection, for the unexpired portion of a term ending December 31, 2006.

Enacted Number: 523-06

ADOPTED.

PASS THE CONSENT AGENDA by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

060589 **[Liquor License Transfer, 845 Market Street, Space 010]**

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Continued to September 19, 2006

Supervisor Ma, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

From the Government Audit and Oversight Committee Without Recommendation

060860 **[Resolution of Intention to form the Central Market Community Benefit District]** Mayor

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Central Market Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing as required by law.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

Recommendation of the Land Use and Economic Development Committee

060533 [Chinatown Visitor Retail Zoning District: Other Entertainment] Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 811.47b of the Retail Sales and Services section of Table 811 to allow other entertainment as a principal use on the first and second stories in the Chinatown Visitor Retail Zoning District and by adding Section 811.47b to the Specific Provisions for Chinatown Visitor Retail District of Table 811 noting that the other entertainment use must be in conjunction with an existing full-service restaurant; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Enacted Number: 235-06

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Rules Committee

060501 [Campaign Finance Reform Ordinance Amendments] Mayor

Ordinance amending Sections 1.100, 1.104, 1.108, 1.112, 1.114, 1.116, 1.122, 1.126, 1.128, 1.130, 1.135, 1.150, 1.161 and 1.170, adding sections 1.107, 1.113, 1.115, 1.118, 1.162.5, 1.163.5 and 1.172 and repealing section 1.132, Chapter 2 of Article I, section 1.200 and Chapter 4 of Article I, sections 1.400, 1.405, 1.410, 1.415, 1.420 and 1.425 of the Campaign and Governmental Conduct Code to move the False Endorsements Ordinance and the Prohibition on Multiple Campaign Accounts into the Campaign Finance Reform Ordinance ("CFRO"); subject School District and Community College District measures to CFRO; reenact contribution and voluntary expenditure limits at their existing levels; clarify sections of CFRO related to electronic filing requirements, candidate loan restrictions, permissible uses of campaign funds, pre-election reporting requirements, and the contractor contribution prohibition; prohibit candidates from accepting voluntary expenditure ceilings if the applicable ceiling was already lifted; create late filing fees for reports required by CFRO; create new penalties for candidates that receive public financing and exceed applicable expenditure ceilings; create new and clarify existing disclaimer requirements for campaign advertisements; create training requirements for candidates and treasurers; create new filing requirements during the signature gathering process for ballot measures; permit the return of contributions once campaign funds become surplus or a candidate withdraws only on a last in, first out basis; permit the Ethics Commission to extend filing deadlines that fall on weekends or holidays; require candidates to pay for accrued expenses within 180 days; and require expenditures that are coordinated with candidates to be treated as contributions.

Enacted Number: 228-06

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which

have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Lionel Sanford; expressed that local politicians who become State representatives continue to lobby for the down trodden families on the State level as strongly as they have fought for them locally

Eugene Gordon, Jr.; expressed concern relating to human rights issues

Elaine, Labor Council; supporting legislation against proposed rule to enforce immigration law

Male speaker; expressed concern regarding uniformed business policies

Eula Walters; expressed concern regarding renaming of Ferry Park

John Dadonna; expressed views regarding obtaining a drivers's license

John Kindregan; expressed Christian views

Walter; showed appreciation of work done by various organizations

Sylvia Johnson; expressed concerns regarding homeless issues

Male speaker; expressed concern regarding immigration laws and policies

James Chaffee; expressed concern with issues relating to the S. F. Public Library

Male speaker; expressed concern regarding immigration laws and policies

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 17 through 27

061218 **[Accept-Expend Federal/State Pass Through Grant - Public Library]** Supervisor Dufty

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $11,332 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

Enacted Number: 524-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061220 **[Opposing the Department of Homeland Security's proposed rule to enforce immigration law]** Mayor, Supervisor Sandoval

Resolution opposing the Department of Homeland Security's proposed rule on use of Social Security Administration "no-match" letters to enforce immigration law.

Enacted Number: 520-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061221 **[Accept-Expend Federal Grant - Department of Public Works]** Supervisor Elsbernd

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of $75,243 from the California Department of Transportation to develop a bridge maintenance plan for the City and County of San Francisco and authorizing the Director of Public Works or his or her designee to execute all documents therefore.

Enacted Number: 525-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061222 **[Approval of the MOU between the San Francisco Police Department and the San Francisco Housing Authority for additional police services]** Supervisor Maxwell

Resolution approving the Memorandum of Understanding between the San Francisco Police Department and the San Francisco Housing Authority for

additional police services in designated Housing Authority Developments.

Enacted Number: 521-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061252 **[Appointment, Assessment Appeals Board No. 2 - Arthur Tom III]**

Resolution appointing Arthur Tom III, term ending September 7, 2009, to Assessment Appeals Board #2; correcting clerical error in Resolution 476-06. (Clerk of the Board)

Enacted Number: 526-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061224 **[Final Map - 1551 Taraval Street]**

Motion approving Final Map 3158, a 10 Unit Mixed-Use Condominium Project, located at 1551 Taraval Street being a subdivision of Lot 38 in Assessors Block No. 2400 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,053; District 4.)

Enacted Number: M06-97

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061230 **[Final Map - 1082 Pennsylvania Street]**

Motion approving Final Map 2525, a 26 Unit Live/Work Condominium Project, located at 1082 Pennsylvania Street being a subdivision of Lot 61 in Assessors Block No. 4224 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(DPW Order No. 176,290; District 10.)

Enacted Number: M06-98

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

061231 **[Final Map - 235 Berry Street]**

Motion approving Final Map 3401, a 99 Unit Residential Condominium Project, located at 235 Berry Street being a subdivision of Lot 5 in Assessors Block No. 8708 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(DPW Order No. 176,105; District 6.)

Enacted Number: M06-99

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061232 **[Final Map - 4343 Third Street]**

Motion approving Final Map 3635, a Two Commercial and 16 Residential Unit Mixed-Use Condominium Project, located at 4343 Third Street being a subdivision of Lot 14 in Assessors Block No. 5278 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(DPW Order No. 176,324; District 10.)

Enacted Number: M06-100

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061233 **[Final Map - 41 Federal Street]**

Motion approving Final Map 3729, a 11 Unit Live/Work Condominium Project, located at 41 Federal Street being a subdivision of Lot 15 in Assessors Block No. 3774 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(DPW Order No. 176,294; District 6.)

Enacted Number: M06-101

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061234 **[Final Map - 2625 24th Street]**

Motion approving Final Map 3943, a 5 Unit Residential Condominium Project, located at 2625 24th Street being a subdivision of Lot 26 in Assessors Block No. 4264 and adopting findings pursuant to the General Plan and City

Planning Code Section 101.1.

(DPW Order No. 176,298; District 9.)

Enacted Number: M06-102

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061253 **[Commending Reverend Dr. G. Penny Nixon on the occasion of her departure from Metropolitan Community Church of San Francisco]** **Supervisors Dufty, Ammiano**

Resolution commending Reverend Dr. G. Penny Nixon on the occasion of her departure from Metropolitan Community Church of San Francisco.

Enacted Number: 527-06

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

061260 **[Replacement of a general grocery store with the same use is not formula retail]** — Supervisor Elsbernd

Ordinance amending Planning Code Section 703.3 to exclude general grocery stores from the definition of formula retail use; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

061261 **[Zoning - Conditional use for change in use or demolition of a general grocery store]** — Supervisor Elsbernd

Ordinance amending the Planning Code to add Section 218.2 and to amend Sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a general grocery store; amending Planning Code Section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a general grocery store; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

9/12/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/12/2006.

061266 **[Public Employment - Public Defender]** — Supervisors Mirkarimi, Daly, Ammiano, Maxwell

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1.0 Court Alternative Specialist I and 2.0 Social Workers in the Office of the Public Defender (PDR).

(Supervisor Peskin dissented in committee.)

9/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061267 **[Public Employment - Office of the Treasurer and Tax Collector]** — Supervisor McGoldrick

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 0.71 Principal Clerk position, a 0.58 Personal Property Auditor position, and a 0.63 Management Assistant

position in the Office of the Treasurer and Tax Collector.

9/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061272 **[Sale of City Property - 425 Mason Street]** **Supervisor Peskin**

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

9/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061274 **[Elections Code Amendments Relating to Information Provided in the Voter Information Pamphlet and Filing Fees for Candidates to the Board of Supervisors]** **Supervisor Ma**

Ordinance amending the San Francisco Municipal Elections Code by amending Sections 120, 220, 500, 545, 810, and 840 to: delete provisions relating to runoff elections; increase the candidate statement of qualifications from 200 to 300 words and authorize the inclusion of a candidate photograph and support of partisan political organizations in the Voter Information Pamphlet; present candidate information in ballot order in the Voter Information Packet; add elected officials and qualified recipient political committees formed for the purpose of opposing or supporting a measure to the priority list for submission and acceptance of proponent and opponent ballot arguments; increase the filing fee for candidates for the Board of Supervisors; and increase the value of an in-lieu signature for Board of Supervisors.

9/12/06, RECEIVED AND ASSIGNED to Rules Committee.

061275 **[Appropriating $2,258,089 of General Fund Reserve for Violence Prevention in the Police Department, Adult Probation and Juvenile Probation for Fiscal Year 2006-2007.]** **Mayor**

Ordinance appropriating $2,511,746 of Unappropriated General Fund balance for violence prevention programs, including $2,096,179 in the Police Department for additional salaries and overtime, $289,536 in the Adult Probation Department for salaries, overtime and equipment, $66,031 in the Juvenile Probation Department for increased overtime, and $60,000 in the Sheriff's Department for overtime for Fiscal Year 2006-2007.

9/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

061253 **[Commending Reverend Dr. G. Penny Nixon on the occasion of her departure from Metropolitan Community Church of San Francisco]** **Supervisors Dufty, Ammiano**

Resolution commending Reverend Dr. G. Penny Nixon on the occasion of her departure from Metropolitan Community Church of San Francisco.

9/12/06, ADOPTED.

061257 **[Parking Regulations - Noe Street]** Supervisor Dufty

Resolution enacting angle parking regulations on the east side of Noe Street, between 29th and Day Streets.

9/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061258 **[Grant of Federal Funds - Municipal Transportation Agency]** Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $29,453,769 of Section 5309 fixed guideway capital assistance for various Municipal Railway capital projects and activities, excluding administrative overhead costs.

9/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061259 **[Grant of Federal Funds - Municipal Transportation Agency]** Supervisor Elsbernd

Resolution authorizing the Municipal Transportation Agency to Accept and Expend $46,175,552 of Section 5307 and Surface Transportation Program capital assistance for various Municipal Railway capital projects and activities, excluding Administrative Overhead Costs.

9/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061262 **[Parking Regulations - Balboa Reservoir]** Supervisor Elsbernd

Resolution enacting and rescinding parking regulations at various locations.

1-HOUR TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Ocean Avenue, north side, from Lee Avenue to Plymouth Avenue.

PARKING METER AREA 3, 1-HOUR, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Ocean Avenue, north side, from Lee Avenue to Plymouth Avenue.
Ocean Avenue, south side, from Brighton Avenue to Plymouth Avenue.

(9/11/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

9/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061264 **[Multifamily Housing Revenue Bonds - 650 Eddy Street (Arnett Watson Apartments)]** Mayor, Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $19,500,000 for 650 Eddy Street (Arnett Watson Apartments);

authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $97,500 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $19,500,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

9/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061265 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice] Mayor, Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $175,000 from the Department of Justice (DOJ), Office of Justice Programs (OJP), FY2006 Weed and Seed Program for the purpose of supporting activities to prevent, control and reduce violent crime, drug abuse, and gang activity in the designated Weed and Seed area in the Visitacion Valley neighborhood.

9/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061268 [Accept-Expend State Grant - Recreation and Parks Department] Supervisor Ma

Resolution authorizing the Recreation and Parks Department to accept and expend a Recreational Trails Program grant in the total amount of $220,000 from the State of California Parks and Recreation Department under the Transportation Equity Act for the 21st Century for the Pine Lake Trail Improvement Project.

9/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests that the item be calendared on September 18, 2006 committee meeting.

061269 [Accept-Expend Federal Funding - Neighborhood Initiative Grant] Supervisor Daly

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend a Neighborhood Initiative Grant from the U.S. Department of Housing and Urban Development in an amount not to exceed Nine Hundred Ninety Thousand Dollars ($990,000) for the rehabilitation and adaptive re-use of the Hotel Essex at 684 Ellis Street, San Francisco.

9/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061270 [Authorizing the Office of Contract Administration to amend its contract with Xtech to exceed $19 million] Supervisor Daly

Resolution authorizing the Committee on Information Technology to enter into the Fourth Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall

increase the contract amount of $19,000,000 to $28,000,000.

9/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061271 **[Accept-Expend Grant - Department of the Environment]** Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $12,100 from the Columbia Foundation to create an art installation that educates and informs residents about Climate Change and its potential effects on the City and County of San Francisco and provides information on solutions.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061273 **[Funding Agreement for 2006 Spare the Air Campaign]** Supervisor Ammiano

Resolution approving the Funding Agreement between the Metropolitan Transportation Commission and the City and County of San Francisco for the 2006 Spare the Air/Free Transit campaign.

9/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061277 **[Open Space Fund Lease Revenue Bond Disclosure]**

Resolution approving the form and authorizing the distribution of preliminary official statements relating to the issuance of lease revenue bonds payable from the Park, Recreation and Open Space Fund and authorizing the preparation, execution and delivery of final official statements; ratifying the approvals and terms and conditions of a previous ordinance; and related matters.

9/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061278 **[Urging Touro University to reconsider their directive to revoke the charter of a gay and lesbian student group]** Supervisors Ammiano, Dufty, Mirkarimi

Resolution urging Touro University to reconsider their directive to revoke the charter for the Touro University Gay-Straight Alliance and commending the Touro University's College of Osteopathic Medicine, the Gay and Lesbian Medical Association and the American Medical Student Association for standing together with the Touro University Gay-Straight Alliance to protest Touro University's abolition of the school's several year old Gay-Straight Alliance.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061279 **[Grant of Federal Funds - Municipal Transportation Agency]** Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant of $90,000 in federal funds from the Metropolitan Transportation Commission to model and retime traffic signals along Market Street and King St./The Embarcadero.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061280 [Issuance and Sale of Revenue Bonds - San Francisco Waldorf School Association] Supervisor Elsbernd

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $14,000,000 for the financing and refinancing of the acquisition, construction, renovation, improvements and/or equipping of facilities of San Francisco Waldorf School Association and certain other matters relating thereto.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061281 [Commending The American Foundation for Suicide Prevention's Annual "Out of the Darkness" Community Walk Fundraiser] Supervisor Elsbernd

Resolution commending The American Foundation for Suicide Prevention's Annual "Out of the Darkness" Community Walk Fundraiser.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061282 [Accept-Expend Private Foundation Grant - Back on Track Program] Supervisor Maxwell

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $25,000 from the Metta Fund Health Foundation for a program entitled "Back on Track" for fiscal year 2006/2007.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061283 [Accept and Expend Gift-in-Place to the Recreation and Park Department] Supervisors Ma, Elsbernd

Resolution accepting and expending a second Gift-in-place, valued at up to $850,000 from the Stern Grove Festival Association to the Recreation and Park Department to fund construction of improvements to the north hillside and entry plaza at the Rhoda Goldman Concert Meadow.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061284 [Accept and Expend gift to the Recreation and Park Department] Supervisor Ma

Resolution accepting and expending a monetary gift of $35,000 from the South Sunset Playground Campaign through the Neighborhood Parks Council to the Recreation and Park Department for the replacement of the children's play equipment and new security lighting at South Sunset Playground.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061285 [Accept and Expend a monetary and in-kind gift to the Recreation and Park Department] Supervisor Ma

Resolution accepting and expending a monetary and in-kind gift valued up

to $500,000 from the San Francisco Botanical Garden Society to the Recreation and Park Department for the renovation of the primary pedestrian pathways that run throughout the garden.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061286 **[Opposing HR 4761 and HR 4318, relating to offshore oil drilling]** Supervisor Ma

Resolution urging the federal government to extend the offshore oil and gas leasing moratorium and opposing federal efforts to expand offshore oil drilling, including HR 4761 and HR 4318.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061287 **[Alison Streeter Day]** Supervisor Peskin

Resolution declaring September 30, 2006, Alison Streeter Day in San Francisco.

9/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

061251 **[Annual review and approval of the Board of Supervisors/Clerk of the Board budget guidelines]** Supervisor Daly

Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines for Fiscal Year 2007-08.

9/6/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061254 **[Impacts of the proposed Federal Government cuts to the San Francisco Housing Authority]** Supervisor Ammiano

Hearing to discuss the impacts of the proposed Federal Government cuts to the San Francisco Housing Authority.

9/12/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests that the item be calendared before a Special Government Audits & Oversight Committee meeting on September 18, 2006 at 1:00 p.m.

061255 **[Providing for a taxi gate cap of $91.50 and a $0.25 fuel surcharge on the flag drop; the Board of Supervisors to consider other changes if the Taxi Commission has submitted a health care** Supervisor Elsbernd

Hearing on the Controller's Taxicab Industry Report.

9/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061256 **[Flexcar Promotion]** Supervisor Ma

Hearing to consider the Department on the Environment's promotion of

Flexcar to City and County of San Francisco employees.

9/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061263 [Impact of the planned closure of McMillan Drop-In Center] Supervisor Daly

Hearing on with the Human Services Agency on the impact of the planned closure of the McMillan Drop-In Center.

9/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCES

061171 [Settlement of Lawsuit - Department of Fair Employment and Housing v. City and County of San Francisco, et al]

Ordinance authorizing settlement of the lawsuit filed by Department of Fair Employment and Housing on behalf of Real Party in Interest Angela Martin against the City and County of San Francisco for $160,000.00; the lawsuit was filed on August 4, 2005, in San Francisco Superior Court, Case No. 443742; entitled Department of Fair Employment and Housing v. City and County of San Francisco, et al. (City Attorney)

8/9/06, RECEIVED AND ASSIGNED to Rules Committee.

061227 [Settlement of Lawsuit - CCSF, et al. v. Kam Kong Tang and Kai Yuen Ng]

Ordinance authorizing the settlement of a lawsuit filed by the City and County of San Francisco against Kam Kong Tang and Kai Yuen Ng, former part owners of the King Tin Restaurant, for $85,000.00; the lawsuit was filed on August 3, 2005 for violation of the City's Minimum Wage Ordinance, in San Francisco Superior Court, Case No. 433685, entitled City and County of San Francisco, et al. v. Kam Kong Tang and Kai Yuen Ng. (City Attorney)

8/25/06, RECEIVED AND ASSIGNED to Rules Committee.

061228 [Settlement of Lawsuit - John and Judith Bovio, et al., v. City and County of San Francisco, et al]

Ordinance authorizing settlement of the lawsuit filed by John and Judith Bovio against the City and County of San Francisco for $85,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436-946; entitled John and Judith Bovio, et al., v. City and County of San Francisco, et al. (City Attorney)

8/25/06, RECEIVED AND ASSIGNED to Rules Committee.

061237 [General Plan Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003] Supervisor Daly

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the land use designation of Assessor's Block 0312, Lot 003 from

Downtown Retail to Downtown Office and the height and bulk district classification from 80-130-F to a 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the Priority Policies of Planning Code Section 101.1. (Planning Department)

8/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/2/2006. SUPPORTING DOCUMENTS: Planning Commission Executive Summary; Resolutions 17279 and 17280; Motions 17278, 17282 and 17281.

061238 **[Zoning Map Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003]** Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sheet 1 of the Zoning Map of the City and County of San Francisco to change the use district designation of Assessor's Block 0312, Lot 003 from C-3-R 3 (Downtown Retail) to C-3-O (Downtown Office), and amending Sheet 1H of the Zoning Map to change the height and bulk district classification of Assessor's Block 0312, Lot 003 from 80-130-F to 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

8/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/2/2006. SUPPORTING DOCUMENTS: Planning Commission Executive Summary; Resolutions 17279 and 17280; Motions 17278, 17282 and 17281.

PROPOSED RESOLUTIONS

061225 **[Disposition and Development Agreement and Ground Lease for the Old Mint]**

Resolution approving and authorizing a disposition and development agreement and lease for the rehabilitation and use of the Old Mint by the San Francisco Museum and Historical Society; approving the Negative Declaration; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the transactions contemplated are consistent with the City's General Plan and Eight Priority Policies of City's Planning Code; and authorizing the City Administrator, or designee, to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

8/22/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests that this item be calendared as soon as possible.

061235 **[Exemption from Requirement that Ambulances Carry Spare Tire and Jack]**

Resolution authorizing the San Francisco Fire Department to be exempt from California Code of Regulations Title 13, Division 2, Chapter 5, Article 1, Section 1103(e) and (f), requiring ambulances to carry spare tire and jack. (Fire Department)

9/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061239 [Approval of Joint Powers Agreement for North Bayside System Unit facilities with the Cities of San Francisco, South San Francisco, San Bruno, Millbrae, and Burlingame]

Resolution approving and authorizing the execution of an Agreement between the Cities of San Francisco, South San Francisco, San Bruno, Millbrae, and Burlingame pertaining to capacity ownership, operation, maintenance and capital projects cost sharing for North Bayside System Unit (NBSU) Facilities. (Airport Commission)

9/1/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061240 [In-kind agreement and acceptance of easement relating to 333 Fremont Street]

Resolution approving an in-kind agreement for the provision of a mid-block pathway and streetscape improvements to satisfy a portion of the developer's impact fee obligation relating to the 333 Fremont Street project; authorizing the acceptance of an easement for such mid-block pathway under the terms of the in-kind agreement; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution; and ratifying previous actions taken in connection therewith. (Planning Department)

9/1/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061241 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Kearny Street, west side, from Broadway to 79 feet southerly.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Folsom Street, both sides, between 5th and 6th Streets; and,
South Van Ness Avenue, both sides, between Mission and Howard Streets.

NO PARKING ANYTIME - ESTABLISH
Market Street, west side, from the light pole, approximately 100 feet south of the driveway of 3550 Market Street to thedriveway of 3620 Market Street (due to the absence of a sidewalk).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 138 feet to 188 feet east of 2nd Street.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Gilbert Street, both sides, between Brannan Street to southern terminus (unit block, excludes Lot #18, block 3784).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Leavenworth Street, east side, from the south side of the driveway of 808 Leavenworth Street to 20 feet southerly (20-foot space, accommodating 4 motorcycle parking spaces).

PARKING METER AREA NO. 2 (1-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Natoma Street, south side, between 5th and Mary Streets (portion of the 400 block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Webster Street, along the terminus, south of Hermann Street (Unit Block); and,
Webster Street, east side , from the terminus to 29 feet northerly (Unit Block).

NO PARKING ANYTIME - ESTABLISH
101 Lansdale Avenue, from 97 feet north of the southeast property line of 101 Lansdale Avenue to 112 feet west of the northeast property line of 101 Lansdale Avenue (along the inside of the curve adjacent to 101 Lansdale Avenue).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Pennsylvania Avenue, east side, from 23rd Street to 350 feet northerly.

PARKING METER AREA NO. 2, 7AM TO 6PM, 1-HOUR TIME LIMIT, MONDAY THROUGH SATURDAY - ESTABLISH
Market Street, north side, from 12th Street to Van Ness Avenue (within the parking bay area).

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Market Street, north side, from Page Street to 12th Street.

RESIDENTIAL PERMIT PARKING AREA "U" - RESCIND
45 Lansing Street, Lot 59 of Block 3749 on the Unit block of Lansing Street. (Parking and Traffic Department)

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

9/1/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061242 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
20th and Sanchez Streets, stopping the Liberty Street approaches to 20th Street;
Manzanita Avenue and Euclid Avenue, stopping Manzanita Avenue;
Iris Avenue and Euclid Avenue, stopping Iris Avenue;
King Street at Division Street, stopping southbound King Street;
Green and Montgomery Streets, stopping Montgomery Street at Green Street, making this uncontrolled intersection a two-way STOP.
Crestlake Drive and Yorba Street, making this Y-intersection an All-Way STOP. (Parking and Traffic Department)

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

9/1/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood

Services Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repainting the crosswalk at all four sections of the intersection of Hayes Street and Laguna Street. This is near a senior center home.

From: Supervisor Elsbernd

To: City Attorney

Requesting/Inquiring: Requesting an explanation as to why the Natural Areas Program is exempt from Chapter 29 of San Francisco's Administrative Code, "Findings of Fiscal Responsibility and Feasibility".

From: Supervisor Elsbernd

To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting an explanation as to why the Department is planning to spend $750,000 on an Environmental Impact Report (EIR) for the Natural Areas Program (NAP) if the NAP may never be implemented.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti at the following locations: Stop signs on Clayton at the NE and NW corners of Grove St. and Stop sign (back of) at the north median of Webster and Ellis.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting the Department of Public Works and the Municipal Transportation Agency to report on the removal of graffiti at the following locations: bus shelters at Hayes ST., SW corner at Baker St. and Hayes St. on the NE corner at Divisadero St. Replace MUNI sign at the bus stop at the south end of Fillmore and O'Farrell.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking ad Traffic to report

Larry Vallerga, Jr. - Supervisor Ma

Margaret Rowles - Supervisor Elsbernd

Reverend George Twigg Porter - Entire Board

Joan Young - Supervisors Ma and Mirkarimi

Selby Bullard - Supervisor Mirkarimi

Julie Bullard - Supervisor Mirkarimi

Jin Sun "Lilly" Lee - Supervisor McGoldrick

ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:08 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 26, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
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翻譯 必須在會議前最少四十八小時提出要求
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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett

Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
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Board of Supervisors

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MEETING MINUTES

Tuesday, September 19, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Michela Alioto-Pier.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisors Alioto-Pier, Daly, and Maxwell were noted absent.

Supervisors Daly and Maxwell were noted present at 2:07 p.m.

Supervisor Alioto-Pier was excused from attending today's meeting. (See Infra)

There was a quorum.

Supervisor Alioto-Pier Excused from Attendance

Supervisor Dufty, seconded by Supervisor Ammiano, moved to excuse Supervisor Alioto-Pier from attending today's meeting.. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061103 [Recurring FY 2006-2007 State grant funds to the Department of Public Health from the

California Department of Health Services]

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (SFDPH) for FY 2006-2007. (Public Health Department)

Enacted Number: 532-06

ADOPTED

061104 [Approval of the Ryan White Comprehensive AIDS Resources Emergency Act grant application] Supervisors Dufty, Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit an application to the Health Resources Services Administration (HRSA) in order to continue to receive funding for the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act grant (Care Title I). The amount of this annual recurring grant for the next grant year (March 1, 2007 to February 28, 2008) is expected to be approximately $28 million. The projected due date of the application is September 28, 2006. (Public Health Department)

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 529-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

060589 [Liquor License Transfer, 845 Market Street, Space 010]

Resolution determining that the transfer of a Type 21 off-sale general

license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Supervisor Ma, seconded by Supervisor Mirkarimi, moved that this Resolution be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Select Committee on Ending Gun and Gang Violence

060795 **[Boundaries of Police Department District Stations]** **Supervisor Mirkarimi**

Ordinance adopting Section 2A.90 of the San Francisco Administrative Code to require that the boundaries of Police Department district stations be reviewed at least every ten years, to set factors for consideration, and to establish a process for adjusting station boundaries.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060700 **[Police Foot Patrols]** **Supervisor Mirkarimi**

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern and Park Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved to rerefer this matter to Committee.

Supervisor Mirkarimi and Supervisor McGoldrick, rescinded its motion to refer this matter.

Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole bearing new title.

San Francisco Police Chief Heather Fong addressed the Board members.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 5 - Ammiano, Daly, Mirkarimi, Peskin, Sandoval
Noes: 4 - Dufty, Elsbernd, Ma, Maxwell
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern Park, Tenderloin, Mission and Ingelside Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

Re-referred as amended.

Supervisor Mirkarimi, seconded by Supervisor Daly, moved that this Ordinance be RE-REFERRED to the Select Committee on Ending Gun and Gang Violence. The motion carried by the following vote:

Ayes: 5 - Ammiano, Daly, Mirkarimi, Peskin, Sandoval
Noes: 4 - Dufty, Elsbernd, Ma, Maxwell
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

Supervisor Elsbernd moved to rescind the previous vote.

Motion failed for lack of a second.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061156 [Setting San Francisco's fiscal year 2006-2007 property tax rate and establishing pass-through rate for residential tenants]

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2007. (Controller)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061157 **[Setting San Francisco Unified School District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2007. (Controller)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061158 **[Setting San Francisco Community College District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2007. (Controller)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061159 **[Setting San Francisco Bay Area Rapid Transit District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2007. (Controller)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061168 **[FY 2006-2007 California Constitution Appropriations Limit]** Supervisor Peskin

Resolution establishing the appropriations limit for Fiscal Year 2006-07 pursuant to California Constitution Article XIII B.

Enacted 533-06

Number:

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061207 **[Appropriating $4,295,259 in State Traffic Congestion Relief funds for road maintenance and reconstruction in the Department of Public Works for Fiscal Year 2006-2007]** Supervisor Elsbernd

Ordinance appropriating $4,295,259 of Fiscal Year 2005-2006 and Fiscal Year 2006-2007 State Traffic Congestion Relief funds for the maintenance and reconstruction of public street and roads in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061165 **[Public Employment - Department of Public Health]** Supervisors Daly, Dufty, Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) reflecting the addition of 4.0 Public Health Nurse positions in the Department of Public Health.

(Fiscal impact.)

Supervisor Ammiano requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

061164 **[Appropriating $394,476 for four Public Health Nurses in the Department of Public Health for nine months of Fiscal Year 2006-2007]** Supervisors Daly, Dufty, Ammiano, Mirkarimi

Ordinance appropriating $276,476 in General Fund Reserve and $118,000 in Medi-Cal Targeted Case Management/Medi-Cal Administration Act revenue to support four Public Health Nurses in the Maternity and Child Health Program at the Department of Public Health for nine months of Fiscal Year 2006-2007.

(Fiscal impact.)

Supervisor Elsbernd, seconded by Supervisor Daly, moved to amend "by

requiring a monthly report be provided to the Board of Supervisors on the status of the filling of 26 vacant positions in the Deparment."

Motion to amend was carried without objection.

Supervisors Ammiano and Mirkarimi requested to be added as co-sponsors

Supervisor Elsbernd, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

PASSED ON FIRST READING AS AMENDED.

061169 **[Appropriating $54,807 of General Fund Reserve for a Human Rights Commission Representative at the Human Rights Commission for Fiscal Year 2006-2007]** — **Supervisors Ma, Sandoval, Dufty, Mirkarimi**

Ordinance appropriating $54,807 of General Fund Reserve Fund Balance to support a Human Rights Commission Representative position at the Human Rights Commission for Fiscal Year 2006-2007 to provide fair housing services to monolingual Spanish speaking clients.

Amended by changing the funding source to the General Fund.

Supervisor Ma, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

PASSED ON FIRST READING AS AMENDED.

061209 **[Elimination of specified uses of the Tax on Occupancy of Parking Space in Parking Stations]** — **Supervisor Daly**

Ordinance amending Article 9 of the Business and Tax Regulations Code, the Tax on Occupancy of Parking Space in Parking Stations, to amend Section 615 to eliminate specified uses of collections of the Tax on Occupancy of Parking Space in Parking Stations.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,

McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061067 [Extension of Agreement with PRWT Services, Inc.]

Resolution authorizing a two-year extension of the agreement between PRWT Services, Inc. and the City and County of San Francisco. (Municipal Transportation Agency)

(Fiscal impact.)

Enacted Number: 530-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee

050176 [Amending the Planning Code to make all massage establishments conditional uses] Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor McGoldrick dissented in committee.

Continued to October 24, 2006

Supervisor Ma, seconded by Supervisor Sandoval, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061208 [Interim Zoning Requiring Conditional Use Authorization for Formula Retail Use in Supervisors Maxwell, Sandoval, McGoldrick

Showplace Square/Potrero Hill and Central Waterfront Areas]

Resolution imposing interim zoning controls that require conditional use authorization for the establishment of a formula retail use, including requirements for certain Planning Commission findings and specified public notice, in the Showplace Square/ Potrero Hill and Central Waterfront areas, as specified herein, for a twelve (12) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

Enacted Number: 534-06

ADOPTED by the following vote:

Ayes: 7 - Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma
Absent: 1 - Ammiano
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Sandoval welcomed, introduced and presented Certificate of Honor to the Honorable Herman Sillas.

Supervisor Sandoval welcomed, introduced and presented a Certificate of Honors to several City and County of San Francisco Latino Employees.

ROLL CALL FOR INTRODUCTIONS

Supervisor Sandoval and Members of the Board of Supervisors remembered the following U.S. Soldiers of Hispanic/Latino Descent Who Have Died in the War in Iraq as of September 6, 2006.

Jose Antonio Gutierrez

Edward John Anguiano

Ruben Estrella-Soto

Johnny Villarreal Mata

Diego Rincon

Jose Angel Garibay

Jorge Alonso Gonzalez

Francisco Martinez Flores

Robert Marcus Rodriguez

Jesus Alberto Suarez del Solar

Fernando Padilla Ramirez

Diego Fernando Rincon

Aaron Joseph Contreras

George Andrew Fernandez

Erik Hernandez Silva

Duane Roy Rios

Andrew Julian Aviles

Jesus Antonio Medellin

Juan Guadalupe Garza Jr.

Ryan Augusto Tejeda

Jesus Angel Gonzalez

Gil Mercado

Joseph Acevedo

David Grames Sanchez

Jose Marin Dominguez

Armando Ariel Gonzalez

John Travis Rivero

Osbaldo Orozco

Joe Jesus Garza

Jose Gonzalez Rodriguez

Douglas Jose Marenco

Jose Perez

Richard Orengo

Tomas Sotelo Jr.

Melissa Valles

Jaror Puello Coronado

Ramon Reyes Torres

David Moreno

Hector Perez

Juan Serrano

Wilfredo Perez Jr.

Pablo Manzano

Joseph Camara

Joseph Guerrera

Richard Arriaga

Michael Andrade

Ana Laura Esparza Gutierrez

Tamarra J. Ramos

Richard Torres

Jose Casanova

Carlos Gonzalez

Ricardo Barraza

Robert Hernandez

Joseph Due¤as

Israel Devora Garc¡a

Andres Aguilar Jr.

Felipe Sandoval Flores

Geovani Padilla Aleman

Juana Navarro

Joseph Blanco

Roland Calderon Ascencio

Stephen Joseph Perez

Pablo V. Mayorga

Bobby Mendez

Jose Gomez

Teodoro Torres

Benito Ramirez

Adam Lucas

J Adan Garc¡a

Benjam¡n Mej¡a

Jose Velez

Michael Estrella

Salvador Guerrero

Kristian Menchaca

Jason Lopez Reyes

Robbie Mariano

Johnny Peralez Jr.

Radhames Camilo Matos

Michael Martinez

Raul Mercado

Raul Garcia

Carlos Arellano

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the Middle East War

Male speaker; expressed concern with issues related to the treatment of patients at Laguna Honda Hospital

James Chaffee; expressed concern with issues relating to the SF Public Library

Walter; shared current and past events with the Board

Eugene Gordon, Jr.; expressed concern issues relating to the violation of human rights

Eulla Walters; expressed concern with the process of the naming of public facilities

Sylvia Johnson; expressed concern with issues relating to peace

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any

Supervisor may require any resolution to go to committee.

Supervisor Maxwell was noted absent at 3:55 p.m.

061271 **[Accept-Expend Grant - Department of the Environment]** Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $12,100 from the Columbia Foundation to create an art installation that educates and informs residents about Climate Change and its potential effects on the City and County of San Francisco and provides information on solutions.

Enacted Number: 535-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061278 **[Urging Touro University to reconsider their directive to revoke the charter of a gay and lesbian student group]** Supervisors Ammiano, Dufty, Mirkarimi

Resolution urging Touro University to reconsider their directive to revoke the charter for the Touro University Gay-Straight Alliance and commending the Touro University's College of Osteopathic Medicine, the Gay and Lesbian Medical Association and the American Medical Student Association for standing together with the Touro University Gay-Straight Alliance to protest Touro University's abolition of the school's several year old Gay-Straight Alliance.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 536-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061279 **[Grant of Federal Funds - Municipal Transportation Agency]** Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant of $90,000 in federal funds from the Metropolitan Transportation Commission to model and retime traffic signals along Market Street and King St./The Embarcadero.

Enacted 537-06

Number:

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061280 **[Issuance and Sale of Revenue Bonds - San Francisco Waldorf School Association]** **Supervisor Elsbernd**

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $14,000,000 for the financing and refinancing of the acquisition, construction, renovation, improvements and/or equipping of facilities of San Francisco Waldorf School Association and certain other matters relating thereto.

Enacted Number: 528-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061281 **[Commending The American Foundation for Suicide Prevention's Annual "Out of the Darkness" Community Walk Fundraiser]** **Supervisor Elsbernd**

Resolution commending The American Foundation for Suicide Prevention's Annual "Out of the Darkness" Community Walk Fundraiser.

Enacted Number: 538-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061282 **[Accept-Expend Private Foundation Grant - Back on Track Program]** **Supervisor Maxwell**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $25,000 from the Metta Fund Health Foundation for a program entitled "Back on Track" for fiscal year 2006/2007.

Enacted Number: 531-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061283 **[Accept and Expend Gift-in-Place to the Recreation and Park Department]** Supervisors Ma, Elsbernd

Resolution accepting and expending a second Gift-in-place, valued at up to $850,000 from the Stern Grove Festival Association to the Recreation and Park Department to fund construction of improvements to the north hillside and entry plaza at the Rhoda Goldman Concert Meadow.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 539-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061284 **[Accept and Expend gift to the Recreation and Park Department]** Supervisor Ma

Resolution accepting and expending a monetary gift of $35,000 from the South Sunset Playground Campaign through the Neighborhood Parks Council to the Recreation and Park Department for the replacement of the children's play equipment and new security lighting at South Sunset Playground.

Enacted Number: 540-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061285 **[Accept and Expend a monetary and in-kind gift to the Recreation and Park Department]** Supervisor Ma

Resolution accepting and expending a monetary and in-kind gift valued up to $500,000 from the San Francisco Botanical Garden Society to the Recreation and Park Department for the renovation of the primary pedestrian pathways that run throughout the garden.

Enacted Number: 541-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061286 **[Opposing HR 4761 and HR 4318, relating to** Supervisor Ma

offshore oil drilling]

Resolution urging the federal government to extend the offshore oil and gas leasing moratorium and opposing federal efforts to expand offshore oil drilling, including HR 4761 and HR 4318.

Enacted Number: 542-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061287 [Alison Streeter Day] Supervisor Peskin

Resolution declaring September 30, 2006, Alison Streeter Day in San Francisco.

Enacted Number: 543-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061299 [Final Map - 355 King Street]

Motion approving Final Map 3620, a 263 Unit Mixed - Use Condominium Project, located at 355 King Street being a subdivision of Lot 6 in Assessors Block No. 8705 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

(DPW Order No. 176,292; District 6.)

Enacted Number: M06-103

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Daly, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

to approve the Brown Act Finding by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061308 [Commending Alan Wayne] **Supervisor Dufty**

Resolution commending Alan Wayne for more than 20 years of work with United Airlines and the San Francisco International Airport and wishing him the best of luck with his retirement after more than 39 years of work with the Airline industry.

Enacted Number: 544-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

061303 [Public Employment - Department of Public Health and the General Service Agency] **Supervisor Ammiano**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect proposed changes to the Department of Public Health and the General Service Agency staffing for the Health Access Program, increasing total staffing by 0.48 FTE.

9/19/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

061304 **[Appropriating $950,000 of State of California health program revenue for mental health wrap around services for the Department of Public Health for Fiscal Year 2006-2007]** **Mayor, Supervisor Dufty**

Ordinance appropriating $950,000 of State of California health program revenue for mental health wrap around services to provide clinical services to youth receiving services as a result of the SB 163 State initiative for the Department of Public Health for Fiscal Year 2006-2007.

9/19/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061311 **[Amendment of Administrative Code Chapter 31 to provide for appeals of certain environmental determinations and providing public notice]** **Supervisor Ma**

Ordinance amending Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of environmental documents and determinations under the California Environmental Quality Act, and providing public notice of such determinations and environmental documents.

9/19/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/19/2006.

061312 **[Appropriating $2,166,000 to fund Laguna Honda Hospital increased costs for the Department of Public Health retroactive to Fiscal Year 2005-2006]** **Supervisors Daly, Elsbernd**

Ordinance appropriating $2,166,000 of Laguna Honda Hospital surplus revenues to fund increased costs in salaries, non-personal services, and materials and supplies for the Department of Public Health retroactive to Fiscal Year 2005-2006.

(Fiscal impact.)

9/19/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061320 **[Property and Business Improvement Districts]** **Supervisor Peskin**

Ordinance amending Section 1511 of the San Francisco Business and Tax Regulations Code to (1) allow the owners of businesses who would pay at least 30% of the proposed assessment, or a combination of property owners and business owners who would pay at least 30% of the proposed assessment, to petition the Board of Supervisors to form a property and business improvement district, and (2) make conforming and clarifying changes to the procedural and substantive augmentation of state law governing the formation of property and business improvement districts.

9/19/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 09/20/06 - Referred to the Small Business Commission for review and comment. 09/25/06 - 30 day rule waived by the president.

Resolutions

061305 **[Contract funds to support research on HIV/AIDS in under-researched populations]** Supervisor Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to retroactively enter into a continuation agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of $110,374 to establish an HIV/AIDS Research Center in the Bay Area and approval of a sole source contract with the University of California, San Francisco (UCSF), Department of Infectious Diseases in the amount of $53,760 for the period of July 1, 2006 to June 30, 2007.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061306 **[Provide SSI application assistance to the chronically homeless and mentally ill in San Francisco.]** Mayor, Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $97,660 from the Social Security Administration (SSA) to provide SSI application assistance to the chronically homeless and mentally ill in San Francisco and to enter into an agreement for the use of these funds; for the period of May 1, 2006 to April 30, 2007.

9/19/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061307 **[Manage and follow-up on chronic health conditions among refugees in San Francisco]** Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health, Newcomers Health Program (SFDPH, Newcomers) to accept and expend retroactively a new continuing grant in the initial amount of $55,000, from the California Department of Health Services, Refugee Health Section (CDHS/RHS) in support of a program entitled Refugee Preventive Health Program (RPHP), for the period of July 1, 2006 through June 30, 2007 with expected continuation for four additional years, and which includes a sub-contract with the International Institute of San Francisco (IISF) in the amount of $28,900 for the same time period.

9/19/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061308 **[Commending Alan Wayne]** Supervisor Dufty

Resolution commending Alan Wayne for more than 20 years of work with United Airlines and the San Francisco International Airport and wishing him the best of luck with his retirement after more than 39 years of work with the Airline industry.

9/19/06, ADOPTED.

061309 **[Recommending approval of Community Facilities District formation and financing by the ABAG Finance Authority For Nonprofit Corporations relating to Mint Plaza]** Supervisor Daly

Resolution recommending approval of the formation of a community facilities district and the issuance of special tax bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza; making findings; approving related joint community facilities agreement; and granting general authority to city officials to take actions necessary to implement this resolution.

9/19/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061313 [STOP Intersections] Supervisor Dufty

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Addison and Farnum Streets, stopping Addison Street, making this intersection an all-way STOP.

(9/15/06 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

9/19/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061314 [Lease of Real Property at 1701 Ocean Avenue] Supervisor Sandoval

Resolution authorizing the lease of 5,000 square feet of space at 1701 Ocean Avenue for the OMI Family Center of the Department of Public Health.

(Fiscal impact.)

9/19/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061315 [Establishing Advisory Committee on Merging the Sheriff's and Police Departments] Supervisor Daly

Resolution establishing a committee to make specific recommendations for amending the City Charter to merge the Sheriffs and Police Departments under the Sheriffs Department.

9/19/06, RECEIVED AND ASSIGNED to Rules Committee.

061316 [Urging the restoration of cuts to the US Department of Housing and Urban Development] Mayor, Supervisors Ammiano, Peskin

Resolution urging the United States Congress to restore cuts in the budget of the United States Department of Housing and Urban Development.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061317 [Supporting Proposition 1D] Supervisor Ammiano

Resolution supporting Proposition 1D on the November 7, 2006 ballot.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061318 [Celebrating the 100th Anniversary of Supervisors Mirkarimi,

Japantown in the Western Addition] Ma

Resolution celebrating the 100th Anniversary of Japantown in the Western Addition.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061319 **[Commending the United Nations' Declaration of September 21st as the International Day of Peace]** Supervisors Mirkarimi, Elsbernd

Resolution commending the United Nations' Declaration of September 21st International Day of Peace and calling for all San Franciscans to work for peace both at home and abroad.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061321 **[Support for efforts to launch private, nonprofit anonymous crime information program in San Francisco]** Supervisor Alioto-Pier

Resolution supporting the efforts of the First Responder Foundation in its plans to develop and launch a private, nonprofit anonymous crime information program in San Francisco.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061322 **[Commending Congregation Beth Sholom and declaring September 10, 2006 "Congregation Beth Sholom Day" in San Francisco]** Supervisors McGoldrick, Ma

Resolution commending Congregation Beth Sholom and declaring September 10, 2006 "Congregation Beth Sholom Day" in San Francisco.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061323 **[Supporting Lieutenant Ehren Watada's public statements expressing legal and moral objections to the war in Iraq and urging the end to court martial proceedings against him]** Supervisor McGoldrick

Resolution supporting Lieutenant Ehren Watada's public statements expressing legal and moral objections to the war in Iraq and urging the end to court martial proceedings against him.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061324 **[Commending Barbara Reilly]** Supervisors Peskin, Dufty, Elsbernd, Ma

Resolution commending Barbara Reilly on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 39 years of service to the City and County of San Francisco.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061325 [Accept-expend State Grant Funds available under the Department of Homeland Security, Federal Emergency Management Agency for Fiscal Year 2005 Pre-disaster Mitigation Grant Program to] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of $2,067,176 in FY 2005 Pre-Disaster Mitigation Funds from the Federal Emergency Management Agency, administered by the California Office of Emergency Services, for seismic improvements to the Moscone Recreation Center Pre-Disaster Mitigation Project.

(Fiscal impact.)

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061326 [Declaring September 2006 as Reentry Month] Supervisor Mirkarimi

Resolution declaring the month of September 2006 as Reentry month in the City and County of San Francisco.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

061310 [Committee of the Whole - October 3, 2006 at 3:00 p.m. - Formation of a community facilities district in connection with the Mint Plaza Area] Supervisor Daly

Motion to sit as a Committee of the Whole on October 3, 2006 at 3:00 p.m. to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza Area.

9/19/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

061297 [Public Utilities Commission Short-Term Indebtedness]

Ordinance amending Sections 43.5.1 through 43.5.4, inclusive, of the San Francisco Administrative Code to authorize the Director of Public Finance to designate an alternate, to implement the provisions of Article VIIIB of the Charter and to make other clarifying revisions. (Public Utilities Commission)

9/11/06, RECEIVED AND ASSIGNED to Rules Committee.

9/20/06, TRANSFERRED to Budget and Finance Committee.

061298 [Authorization for the Public Utilities

Commission to issue Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000]

Ordinance approving the issuance by the Public Utilities Commission of its Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000 pursuant to Article VIIIB of the City Charter and Article V of Chapter 43 of Part I of the San Francisco Administrative Code, as amended, for the purpose of reconstructing and improving certain capital improvements related to the Wastewater Enterprise; approving the form and authorizing the execution of a credit facility, an issuing and paying agent agreement, one or more dealer agreements, an offering memorandum and other documents relating to such notes; approving the maximum interest rate on such notes; and related matters. (Public Utilities Commission)

(Fiscal impact.)

9/11/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061300 **[Settlement of Lawsuits - Tran, Mansour and Le, et al., v. City and County of San Francisco, et al.]**

Ordinance authorizing settlement of the lawsuits filed by Minh Tran, Thuba Tran, Thu Nguyen, Tarek Mansour, Khaled Mansour, Quoc Le, and Cuong Le against the City and County of San Francisco for $1,875,000.00; the lawsuits were filed on April 22, 2004 in San Francisco Superior Court, Case Nos. 430764, 430765 and 430766; entitled Tran, Mansour and Le, et al., v. City and County of San Francisco, et al; other material terms of settlement are Co-defendants to pay $5,565,000.00 and Caltrans to install temporary barriers and permanently fix condition that caused accident. (City Attorney)

9/12/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Requests Granted

From: Supervisor Sandoval

To: General Manager, Department of Recreation and Parks

Requesting/Inquiring: Inquiring about the status of the project to install lights in the Excelsior Playground. Asking that the department respond with all relevant information including, but not limited to the following: Whether the project will be completed by a Rec and Park crew or contracted out to a private construction firm, if it is to be put out to bid, when they expect to release the Request for Proposal, what the deadline will be for those proposals, the anticipated date to begin construction, the estimated completion date and any other milestone dates.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation directing the Controller's Office to complete a performance audit on staffing issues at the San Francisco Police Department. Further requesting that the City Attorney draft a motion directing the Budget Analyst to conduct an audit of staffing practices at the San Francisco Police Department.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from the Fredrick Douglas Brick signs on the southwest and southeast corners of Oak Street and Pierce Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from light switchboxes at the following locations: Southwest corner of Fulton and Central and Northwest corner of Lincoln and Martin Luther King Jr. Way.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of

In Memoriams

Peter Muraki - Supervisor Mirkarimi

Ann Richards - Entire Board

Tracy Hubrich - Supervisor Peskin

Lou Enright - Supervisor Dufty

Virginia Anne Murphy - Supervisor Elsbernd

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:10 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 17, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
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MEETING MINUTES

Tuesday, September 26, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Michela Alioto-Pier.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisors Alioto-Pier and Sandoval were noted absent.

Supervisor Sandoval was noted present at 2:08 p.m.

Supervisor Alioto-Pier was excused from attending today's meeting. (See Infra)

There was a quorum.

Supervisor Alioto-Pier Excused From Attendance

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Alioto-Pier

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the August 15, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Alioto-Pier

CONSENT AGENDA

Recommendations of the Budget and Finance

Committee

061156 [Setting San Francisco's fiscal year 2006-2007 property tax rate and establishing pass-through rate for residential tenants]

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2007. (Controller)

Enacted Number: 239-06

FINALLY PASSED

061157 [Setting San Francisco Unified School District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2007. (Controller)

Enacted Number: 238-06

FINALLY PASSED

061158 [Setting San Francisco Community College District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2007. (Controller)

Enacted Number: 237-06

FINALLY PASSED

061159 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2007. (Controller)

Enacted Number: 236-06
FINALLY PASSED

061207 [Appropriating $4,295,259 in State Traffic Congestion Relief funds for road maintenance and reconstruction in the Department of Public Works for Fiscal Year 2006-2007] Supervisor Elsbernd

Ordinance appropriating $4,295,259 of Fiscal Year 2005-2006 and Fiscal Year 2006-2007 State Traffic Congestion Relief funds for the maintenance and reconstruction of public street and roads in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal impact.)

Enacted Number: 240-06
FINALLY PASSED

061209 [Elimination of specified uses of the Tax on Occupancy of Parking Space in Parking Stations] Supervisor Daly

Ordinance amending Article 9 of the Business and Tax Regulations Code, the Tax on Occupancy of Parking Space in Parking Stations, to amend Section 615 to eliminate specified uses of collections of the Tax on Occupancy of Parking Space in Parking Stations.

Enacted Number: 241-06
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

060899 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)] Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $158,000 from the Project Safe Neighborhoods (PSN), Department of Justice (DOJ), Bureau of Justice Assistance (BJA), for the purpose of supporting activities to reduce the gun crime problem and violent activity associated with gun crime in San Francisco.

Enacted Number: 555-06

ADOPTED

060970 **[Liquor License, 244 Taylor Street]**

Resolution determining that the issuance of a Type 40 (on-sale beer) alcoholic beverage license to Joel Martinez, for The Comedy Station located at 244 Taylor Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 556-06

ADOPTED

061029 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Charles J. Brenham Street, west side, between Market and McAllister Streets.

(7/13/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3215.)

Enacted Number: 557-06

ADOPTED

061115 **[Accept and Expend Grant - Sheriff's Department program providing jail diversion opportunities involving integrated mental health services to incarcerated women]** Supervisor Ma

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $397,934 from the Substance Abuse and Mental Health Services Administration for providing jail diversion opportunities involving integrated mental health and substance abuse treatment for incarcerated women.

Enacted Number: 558-06

ADOPTED

061129 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rhode Island Street, both sides, between 25th and 26th Streets (1400).

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Marina Boulevard, north side, from Laguna Street to 20 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Irving Street, north side, from 9th Avenue to 24 feet easterly (removes one parking meter space).

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Eddy Street, both sides, between Franklin Street and Van Ness Avenue (800 block)

1-HOUR PARKING LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2-HOUR PARKING LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Eddy Street, both sides, between Franklin and Gough Streets (900 block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Sickles Avenue, south side, from Alemany Boulevard to 120 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Bryant Street, both sides, between 20th and 21st Streets (2200 block).
(Parking and Traffic Department)

(6/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3222.)

Enacted Number: 560-06
ADOPTED

061130 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations at various streets.

NO TURN ON RED - ESTABLISH
Jordan Avenue, northbound, at California Street and southbound Cherry Street at California Street.

RIGHT LANE MUST TURN RIGHT - RESCIND
Pine Street, westbound, at Kearny Street.

NO LEFT TURN - ESTABLISH
San Bruno Avenue, southbound, the intersection of Arleta Avenue and Bayshore Boulevard.

NO LEFT TURN - ESTABLISH
San Bruno Avenue, northbound, at Silliman Street

BICYCLE LANES - ESTABLISH
Mississippi Street, both sides, between Mariposa and 16th Streets. (Parking and Traffic Department)

(6/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3222.)

Enacted Number: 561-06
ADOPTED

061219 **[Residential Parking Area "J" on the 100 block of Irving Street, excluding 145 Irving Street]** Supervisor Mirkarimi

Resolution establishing Residential Parking Area "J" on the 100 block of Irving Street, excluding 145 Irving Street.

Enacted Number: 562-06
ADOPTED

061268 **[Accept-Expend State Grant - Recreation and Parks Department]** Supervisor Ma

Resolution authorizing the Recreation and Parks Department to accept and expend a Recreational Trails Program grant in the total amount of $220,000 from the State of California Parks and Recreation Department under the Transportation Equity Act for the 21st Century for the Pine Lake Trail Improvement Project.

Enacted Number: 563-06
ADOPTED

Recommendations of the Rules Committee

060973 **[Settlement of Lawsuit - Assessment Appeals Board]**

Ordinance authorizing settlement of administrative writ petition filed by the City and County of San Francisco challenging the Assessment Appeals Board's Property Tax Assessment for the Giants' baseball park at China Basin for the 2001/02, 2002/03 and 2003/04 tax years contingent upon approval of roll values by the Assessment Appeals Board and payment of an amount that

reflects the reduced roll values, including interest; City filed its writ petition on January 19, 2006 in San Francisco Superior Court, entitled City and County of San Francisco v. Assessment Appeals Board No. 1, Case No. 506010. (City Attorney)

PASSED, ON FIRST READING

061154 **[Settlement of Lawsuit - Stephen N. Farac v. City and County of San Francisco, et al.]**

Ordinance authorizing settlement of the matter of Stephen Farac v. City and County of San Francisco for $50,000. The lawsuit was filed on April 28, 2005, in San Francisco Superior Court, Case No. 440-820; entitled Stephen N. Farac v. City and County of San Francisco, and Does 1 Through 20, Inclusive. (City Attorney)

PASSED, ON FIRST READING

061171 **[Settlement of Lawsuit - Department of Fair Employment and Housing v. City and County of San Francisco, et al]**

Ordinance authorizing settlement of the lawsuit filed by Department of Fair Employment and Housing on behalf of Real Party in Interest Angela Martin against the City and County of San Francisco for $160,000.00; the lawsuit was filed on August 4, 2005, in San Francisco Superior Court, Case No. 443742; entitled Department of Fair Employment and Housing v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061228 **[Settlement of Lawsuit - John and Judith Bovio, et al., v. City and County of San Francisco, et al]**

Ordinance authorizing settlement of the lawsuit filed by John and Judith Bovio against the City and County of San Francisco for $85,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436-946; entitled John and Judith Bovio, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061247 **[Appointment - Pedestrian Safety Advisory Committee]**

Resolution appointing Dan Brook, term ending March 28, 2007, and David Canevari, term ending March 28, 2008, to the Pedestrian Safety Advisory Committee.

Dan Brook, succeeding Aileen Carrigan, resigned, seat 10, must represent

the public at-large, for the unexpired portion of a two-year term ending March 28, 2007. Brian Canevari, succeeding Anwar Mai, term expired, seat 11, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2008.

Enacted Number: 554-06
ADOPTED

061248 [Appointment - Veterans Affairs Commission]
Resolution appointing James Guglielmoni, term ending January 31, 2010, to the Veterans Affairs Commission.

James Guglielmoni, succeeding Brian Zweir, term expired, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2010.

Enacted Number: 552-06
ADOPTED

061249 [Appointment - San Francisco Health Authority]
Resolution appointing Gene Marie O'Connell, John Gressman, Randall Low, Dale Butler, Tracey Faulkner, Steve Fields, and Sharon Kotabe, terms ending January 15, 2009, to the San Francisco Health Authority; residency requirement waived.

Gene Marie O'Connell, succeeding herself, term expired, seat 3, must be senior manager of San Francisco General Hospital, for the unexpired portion of a three-year term ending January 15, 2009. John Gressman, succeeding himself, term expired, seat 5, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009. Randall Low, succeeding himself, term expired, seat 7, must be physician, and nominee of SF Medical Society, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009. Dale Butler, succeeding himself, term expired, seat 9, must be nominee of San Francisco Labor Council or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009. Tracey Faulkner, succeeding herself, term expired, seat 11, must be a nominee of Health Authority Beneficiary Advisory Committee, at least one of whom shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three-year term ending January 15, 2009. Steve Fields, succeeding himself, term expired, seat 12, must be a person knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the health authority, nominated by the program committee of the health committee, for the unexpired portion of a three-year term ending January 15, 2009. Sharon Kotabe, succeeding Stuart Heard, term expired, seat 14, must be nominee of San Francisco Pharmacy

Leadership Group, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009.

Enacted Number: 551-06
ADOPTED

Recommendation of the Select Committee on Ending Gun and Gang Violence

060795 [Boundaries of Police Department District Stations] Supervisor Mirkarimi

Ordinance adopting Section 2A.90 of the San Francisco Administrative Code to require that the boundaries of Police Department district stations be reviewed at least every ten years, to set factors for consideration, and to establish a process for adjusting station boundaries.

Enacted Number: 243-06
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

061164 [Appropriating $394,476 for four Public Health Nurses in the Department of Public Health for nine months of Fiscal Year 2006-2007] Supervisors Daly, Dufty, Ammiano, Mirkarimi

Ordinance appropriating $276,476 in General Fund Reserve and $118,000 in

Medi-Cal Targeted Case Management/Medi-Cal Administration Act revenue to support four Public Health Nurses in the Maternity and Child Health Program at the Department of Public Health for nine months of Fiscal Year 2006-2007.

(Fiscal impact.)

Enacted Number: 245-06

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

061165 **[Public Employment - Department of Public Health]** Supervisors Daly, Dufty, Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) reflecting the addition of 4.0 Public Health Nurse positions in the Department of Public Health.

(Fiscal impact.)

Enacted Number: 244-06

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

061169 **[Appropriating $54,807 of General Fund Reserve for a Human Rights Commission Representative at the Human Rights Commission for Fiscal Year 2006-2007]** Supervisors Ma, Sandoval, Dufty, Mirkarimi

Ordinance appropriating $54,807 of General Fund Reserve Fund Balance to support a Human Rights Commission Representative position at the Human Rights Commission for Fiscal Year 2006-2007 to provide fair housing services to monolingual Spanish speaking clients.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 242-06

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061030 [Regulating Street Artists - Compensation of Advisory Committee]

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2402 to allow members of the Advisory Committee of Street Artists and Craftmen Examiners to be reimbursed for their reasonable travel expenses traveling to and from Committee meetings, Street Artist screenings, and other Advisory Committee activities. (Arts Commission)

(Supervisor Daly dissented in committee)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Elsbernd
Excused: 1 - Alioto-Pier

061272 [Sale of City Property - 425 Mason Street] Supervisor Peskin

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061170 [Authorizing the Department of Telecommunications and Information Services to amend an agreement with International Business Machines Corporation to extend the term of the agreement to

Resolution authorizing the Department of Telecommunications and Information Services to retroactively enter into the Second Amendment of an agreement between the City and County of San Francisco ("City") and International Business Machines Corporation ("IBM") to extend the term of the agreement to twelve years. (Telecommunications and Information Services)

Enacted Number: 564-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061225 [Disposition and Development Agreement and Ground Lease for the Old Mint] Supervisors Peskin, Dufty

Resolution approving and authorizing a disposition and development agreement and lease for the rehabilitation and use of the Old Mint by the San Francisco Museum and Historical Society; approving the Negative Declaration; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the transactions contemplated are consistent with the City's General Plan and Eight Priority Policies of City's Planning Code; and authorizing the City Administrator, or designee, to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

Enacted Number: 547-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061264 [Multifamily Housing Revenue Bonds - 650 Eddy Street (Arnett Watson Apartments)] Mayor, Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $19,500,000 for 650 Eddy Street (Arnett Watson Apartments); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $97,500 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $19,500,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Enacted Number: 559-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061277 **[Open Space Fund Lease Revenue Bond Disclosure]**

Resolution approving the form and authorizing the distribution of preliminary official statements relating to the issuance of lease revenue bonds payable from the Park, Recreation and Open Space Fund and authorizing the preparation, execution and delivery of final official statements; ratifying the approvals and terms and conditions of a previous ordinance; and related matters.

Enacted Number: 565-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the City Operations and Neighborhood Services Committee

061128 **[Updating speed limit provisions on King Street and on the Embarcadero]**

Ordinance amending Section 175.20 of the Traffic Code, governing the speed limit on a portion of The Embarcadero, to reflect that the Embarcadero terminates at King Street, and amending Section 176.39 of the Traffic Code to extend the speed limit change on King Street from 5th Street to The Embarcadero. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Government Audit and Oversight Committee

061116 **[Department of Emergency Management; Divisions of Emergency Communications and of Emergency Services; qualifications for Director and Deputy Directors]** Supervisors Alioto-Pier, Peskin

Ordinance amending the San Francisco Administrative Code, by amending Section 2A.200, to re-name the "Department of Emergency Communications" as the "Department of Emergency Management," establish Divisions of Emergency Communications and of Emergency Services within the

Department, and set qualifications for the Director and Deputy Directors, and by amending Section 7.7, to substitute the Director of the Department of Emergency Management for the Director of Emergency Services.

Supervisor Peskin requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee

061032 **[Mission Bay North Commons at Park P17 Improvements]** Supervisor Daly

Ordinance designating a portion of State Trust Parcel adjacent to Park P17 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way Terry A. Francois Boulevard; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,148 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061033 **[Mission Bay - Parks NP1 & NP2 Improvements]** Supervisor Daly

Ordinance designating a portion of State Trust Parcel 1 lying next to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 176,149 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061183 **[Landlord passthrough to residential tenants, 50% of property tax increase for general obligation bonds: Controller's explanation of proposed bonds; passthroughs authorized in CCSF bonds;** **Supervisors Ammiano, Alioto-Pier, Elsbernd, Dufty, McGoldrick, Ma, Maxwell, Mirkarimi**

Ordinance: (1) amending the San Francisco Municipal Elections Code by amending Section 520, to require that the Controller's financial analysis for a general obligation bond proposal include an explanation of the 50-percent passthrough of the change in a landlord's property tax under the proposed bond measure; (2) amending the San Francisco administrative Code by adding Section 2.40, to require that a proposal for bonded indebtedness of the City and county of San Francisco include a provision authorizing the 50-percent passthrough of the change in a landlord's property tax provided in Administrative Code Section 37.3(a)(6); and, (3) amending San Francisco Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2(q) and 37.3 (a)(6) to provide that landlords may pass through to tenants 50-percent of the change in the landlord's property tax resulting from the repayment of San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061069 **[Planning Code--Use of Public Sidewalk Space by Nonconforming Uses]** **Supervisors Mirkarimi, Maxwell, Alioto-Pier**

Ordinance amending the San Francisco Planning Code by amending Sections 186 and 186.1 to allow certain nonconforming uses to occupy public sidewalk space with tables and chairs, when otherwise permitted; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor Maxwell requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061212 **[Board of Appeals: Legal Representation for Planning and Building Departments]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Business and Tax Regulations Code by

adding Section 11(a) to establish a procedure for the City Attorney to provide legal representation for staff of the Planning Department and Department of Building Inspection appearing at hearings of the Board of Appeals with respect to certain matters.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061077 **[Rent Ordinance: Evictions involving school-age children; Findings]** **Supervisors McGoldrick, Mirkarimi, Ammiano**

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.6(j) to identify and report data on evictions involving school-age children, include data on evictions during the school term; Findings.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061076 **[Urging SFUSD to track student mobility caused by residential evictions and report its findings, in an effort to help ameliorate the potential negative effects on students' school** **Supervisors McGoldrick, Ammiano**

Resolution urging the San Francisco Unified School District to track student mobility caused by residential evictions, and to report its findings to the Board of Supervisors so that the Board can consider possible legislative measures to help address the negative effects on students' school performance.

Enacted Number: 546-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Rules Committee

061246 **[Appointment - Mental Health Board]**

Resolution appointing Supervisor Fiona Ma, term ending January 31, 2007, to the Mental Health Board.

Fiona Ma, succeeding Bevan Dufty, resigned, seat 17, must be a member of

the Board of Supervisors, for the unexpired portion of a two-year term ending January 31, 2007.

Enacted Number: 550-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

061227 **[Settlement of Lawsuit - CCSF, et al. v. Kam Kong Tang and Kai Yuen Ng]**

Ordinance authorizing the settlement of a lawsuit filed by the City and County of San Francisco against Kam Kong Tang and Kai Yuen Ng, former part owners of the King Tin Restaurant, for $85,000.00; the lawsuit was filed on August 3, 2005 for violation of the City's Minimum Wage Ordinance, in San Francisco Superior Court, Case No. 433685, entitled City and County of San Francisco, et al. v. Kam Kong Tang and Kai Yuen Ng. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

061300 **[Settlement of Lawsuits - Tran, Mansour and Le, et al., v. City and County of San Francisco, et al.]**

Ordinance authorizing settlement of the lawsuits filed by Minh Tran, Thuba Tran, Thu Nguyen, Tarek Mansour, Khaled Mansour, Quoc Le, and Cuong Le against the City and County of San Francisco for $1,875,000.00; the lawsuits were filed on April 22, 2004 in San Francisco Superior Court, Case Nos. 430764, 430765 and 430766; entitled Tran, Mansour and Le, et al., v. City and County of San Francisco, et al; other material terms of settlement are Co-defendants to pay $5,565,000.00 and Caltrans to install temporary barriers and permanently fix condition that caused accident. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the Middle East war

Walter; shared memorabilia with Board members

Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights

Eula Walters; expressed concern with issues relating to the naming of a Ferry Park to Sue Bierman

John di Donna; congratulated Barbara Reilly on her retirement after 39 years of City and County of San Francisco public service

James Chaffee; expressed concern with issues relating to the SF Public Library

Sylvia Johnson; expressed concern with general issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061310 [Committee of the Whole - October 3, 2006 at 3:00 p.m. - Formation of a community facilities district in connection with the Mint Plaza Area] Supervisor Daly

Motion to sit as a Committee of the Whole on October 3, 2006 at 3:00 p.m. to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza Area.

Enacted Number: M06-105
APPROVED

061305 [Contract funds to support research on HIV/AIDS in under-researched populations] Supervisor Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to retroactively enter into a continuation agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of $110,374 to establish an HIV/AIDS Research Center in the Bay Area and approval of a sole source contract with the University of California, San Francisco (UCSF), Department of Infectious Diseases in the amount of $53,760 for the period of July 1, 2006 to June 30, 2007.

Enacted Number: 566-06
ADOPTED

061316 [Urging the restoration of cuts to the US Department of Housing and Urban Development] Mayor, Supervisors Ammiano, Peskin

Resolution urging the United States Congress to restore cuts in the budget of the United States Department of Housing and Urban Development.

Supervisor Peskin requested to be added as a co-sponsor.

Enacted Number: 549-06
ADOPTED

061317 [Supporting Proposition 1D] Supervisor Ammiano

Resolution supporting Proposition 1D on the November 7, 2006 ballot.

Enacted Number: 548-06
ADOPTED

061318 [Celebrating the 100th Anniversary of Japantown in the Western Addition] Supervisors Mirkarimi, Ma

Resolution celebrating the 100th Anniversary of Japantown in the Western

Addition.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 567-06

ADOPTED

061319 **[Commending the United Nations' Declaration of September 21st as the International Day of Peace]** — **Supervisors Mirkarimi, Elsbernd**

Resolution commending the United Nations' Declaration of September 21st International Day of Peace and calling for all San Franciscans to work for peace both at home and abroad.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 568-06

ADOPTED

061321 **[Support for efforts to launch private, nonprofit anonymous crime information program in San Francisco]** — **Supervisor Alioto-Pier**

Resolution supporting the efforts of the First Responder Foundation in its plans to develop and launch a private, nonprofit anonymous crime information program in San Francisco.

Enacted Number: 545-06

ADOPTED

061322 **[Commending Congregation Beth Sholom and declaring September 10, 2006 "Congregation Beth Sholom Day" in San Francisco]** — **Supervisors McGoldrick, Ma**

Resolution commending Congregation Beth Sholom and declaring September 10, 2006 "Congregation Beth Sholom Day" in San Francisco.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 570-06

ADOPTED

061323 **[Supporting Lieutenant Ehren Watada's public statements expressing legal and moral objections to the war in Iraq and urging the end to court martial proceedings against him]** — **Supervisor McGoldrick**

Resolution supporting Lieutenant Ehren Watada's public statements expressing legal and moral objections to the war in Iraq and urging the end

to court martial proceedings against him.

Enacted Number: 572-06
ADOPTED

061325 **[Accept-expend State Grant Funds available under the Department of Homeland Security, Federal Emergency Management Agency for Fiscal Year 2005 Pre-disaster Mitigation Grant Program to** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of $2,067,176 in FY 2005 Pre-Disaster Mitigation Funds from the Federal Emergency Management Agency, administered by the California Office of Emergency Services, for seismic improvements to the Moscone Recreation Center Pre-Disaster Mitigation Project.

(Fiscal impact.)

Enacted Number: 571-06
ADOPTED

061291 **[Final Map - 548 Brannan Street]**

Motion approving Final Map 2575, a 34 Unit Live Work Condominium Project, located at 548 Brannan Street being a subdivision of Lot 41 in Assessors Block No. 3777 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,308; District 6.)

Enacted Number: M06-104
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Severed from the Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

061324 [Commending Barbara Reilly] Supervisors Peskin, Dufty, Elsbernd, Ma

Resolution commending Barbara Reilly on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 39 years of service to the City and County of San Francisco.

Supervisors Dufty, Elsbernd, Ma requested to be added as co-sponsors.

Enacted Number: 569-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

061326 [Declaring September 2006 as Reentry Month] Supervisor Mirkarimi

Resolution declaring the month of September 2006 as Reentry month in the City and County of San Francisco.

Enacted Number: 553-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Resolutions

061342 [Establishing City and County of San Francisco Policy for the Eastern Neighborhoods Rezoning and Community Plans Area] Supervisors Maxwell, Ammiano, Peskin, McGoldrick

Resolution establishing City and County of San Francisco policy for the Eastern Neighborhoods Rezoning and Community Plans Area.

9/26/06, RECEIVED AND ASSIGNED to Land Use and Economic Development

Committee. Sponsor requests the item be placed before the Land Use and Economic Development Committee on October 11, 2006 agenda.

061351 [Lease of Property at S.F. Marina West Harbor, near the intersection of Marina Boulevard and Fillmore Street, to the St. Francis Yacht Club] Supervisor Alioto-Pier

Resolution authorizing and approving the execution, delivery and performance of a lease of real property at the S.F. Marina West Harbor near the intersection of Marina Boulevard and Fillmore Street (a portion of Block 0900, Lot 003) to the St. Francis Yacht Club for a term of forty (40) years plus the approximately seven (7) years remaining on the Club's existing lease; and adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1.

9/26/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
10/3/06 - Referred to Planning for determination of environmental impact. Response received, exempt from CEAQ.

061352 [Mortgage Credit Certificates] Supervisor Elsbernd

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061353 [Urging Governor Schwarzenegger to grant parole to Flozelle Woodmore] Supervisor Mirkarimi

Resolution urging Governor Schwarzenegger to follow the Parole Board's recommendation to grant parole to Flozelle Woodmore.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061354 [Commending Hala Hijazi] Supervisors Daly, Peskin, Ma, Dufty, Elsbernd

Resolution commending Hala Hijazi for her work on the Old Mint Project.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061355 [Supporting Proposition 89, the California Clean Money and Fair Elections Act of 2006] Supervisors Mirkarimi, Ma

Resolution in support of Proposition 89, the California Clean Money and Fair Elections Act of 2006 on November 7, 2006.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

061337 [Hearing - Formation of a community facilities district in connection with the Mint Plaza Area]

Hearing to consider the approval to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza Area. (Clerk of the Board)

9/26/06, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on October 3, 2006 at 3:00 p.m. 9/28/06 - Published Notice of Public Hearing.

061339 **[Gunshot Detection System]** Supervisor Mirkarimi

Hearing to consider installing Gunshot Detection Systems, which can automatically triangulate the location of gunshots and alert the authorities - requests that staff from the Mayor's Office of Criminal Justice and the Department of Information and Telecommunications Services attend.

9/26/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence.

061340 **[Current Status of the City's Bicycle Program]** Supervisor Mirkarimi

Hearing to consider the status of the City's Bicycle Program, including questions of staffing, funding, and overall work progress - requests that staff from Municipal Transportation Agency Bicycle Program and the Transportation Authority attend.

9/26/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061341 **[Procedure of Adult Probation and State Parole]** Supervisor Maxwell

Hearing before the meeting of Select Committee on Ending Gun and Gang Violence on the following topics: 1) Procedure of Adult Probation Department (including the appointment of Director of Adult Probation); 2) Procedure of State Parole.

9/26/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence. Sponsor requests this matter be heard at the October 2, 2006 meeting.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

061289 **[Gift - Private - Department of Public Health, Laguna Honda Hospital & Rehabilitation Center]** Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health (SFDPH), Laguna Honda Hospital & Rehabilitation Center (LHH) to accept and expend a monetary gift donation to Laguna Honda Hospital in the amount of $50,000 from the Mildred Oliva Trust, through Shirley A. Reece, Trustee, for the exclusive benefit of the residents of the LHH Hospice Unit. (Public Health Department)

9/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood

Committee. Sponsor requests the item be placed before the Land Use and Economic Development Committee on October 11, 2006 agenda.

061351 [Lease of Property at S.F. Marina West Harbor, near the intersection of Marina Boulevard and Fillmore Street, to the St. Francis Yacht Club] Supervisor Alioto-Pier

Resolution authorizing and approving the execution, delivery and performance of a lease of real property at the S.F. Marina West Harbor near the intersection of Marina Boulevard and Fillmore Street (a portion of Block 0900, Lot 003) to the St. Francis Yacht Club for a term of forty (40) years plus the approximately seven (7) years remaining on the Club's existing lease; and adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1.

9/26/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
10/3/06 - Referred to Planning for determination of environmental impact. Response received, exempt from CEAQ.

061352 [Mortgage Credit Certificates] Supervisor Elsbernd

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061353 [Urging Governor Schwarzenegger to grant parole to Flozelle Woodmore] Supervisor Mirkarimi

Resolution urging Governor Schwarzenegger to follow the Parole Board's recommendation to grant parole to Flozelle Woodmore.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061354 [Commending Hala Hijazi] Supervisors Daly, Peskin, Ma, Dufty, Elsbernd

Resolution commending Hala Hijazi for her work on the Old Mint Project.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061355 [Supporting Proposition 89, the California Clean Money and Fair Elections Act of 2006] Supervisors Mirkarimi, Ma

Resolution in support of Proposition 89, the California Clean Money and Fair Elections Act of 2006 on November 7, 2006.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

061337 [Hearing - Formation of a community facilities district in connection with the Mint Plaza Area]

Hearing to consider the approval to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza Area. (Clerk of the Board)

9/26/06, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on October 3, 2006 at 3:00 p.m. 9/28/06 - Published Notice of Public Hearing.

061339 **[Gunshot Detection System]** Supervisor Mirkarimi

Hearing to consider installing Gunshot Detection Systems, which can automatically triangulate the location of gunshots and alert the authorities - requests that staff from the Mayor's Office of Criminal Justice and the Department of Information and Telecommunications Services attend.

9/26/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence.

061340 **[Current Status of the City's Bicycle Program]** Supervisor Mirkarimi

Hearing to consider the status of the City's Bicycle Program, including questions of staffing, funding, and overall work progress - requests that staff from Municipal Transportation Agency Bicycle Program and the Transportation Authority attend.

9/26/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061341 **[Procedure of Adult Probation and State Parole]** Supervisor Maxwell

Hearing before the meeting of Select Committee on Ending Gun and Gang Violence on the following topics: 1) Procedure of Adult Probation Department (including the appointment of Director of Adult Probation); 2) Procedure of State Parole.

9/26/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence. Sponsor requests this matter be heard at the October 2, 2006 meeting.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

061289 **[Gift - Private - Department of Public Health, Laguna Honda Hospital & Rehabilitation Center]** Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health (SFDPH), Laguna Honda Hospital & Rehabilitation Center (LHH) to accept and expend a monetary gift donation to Laguna Honda Hospital in the amount of $50,000 from the Mildred Oliva Trust, through Shirley A. Reece, Trustee, for the exclusive benefit of the residents of the LHH Hospice Unit. (Public Health Department)

9/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood

Services Committee.

061290 [Gift of Equipment to Fire Department]

Resolution accepting a gift of equipment to the Fire Department from the Fireman's Fund Insurance Company as follows: (1) an ambulance simulator and a training mannequin, with a combined value of approximately $37,200; and (2) equipment for the Fire Boat valued at approximately $10,000.

9/13/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061343 [Confirmation of Mayor's Appointment - Port Commission] Mayor

Resolution confirming the appointment of Rodney Fong to the San Francisco Port Commission, term ending May 1, 2010.

9/19/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be heard on October 5, 2006 meeting.

061344 [Confirmation of Mayor's Appointment - Treasure Island Development Authority] Mayor

Resolution confirming the appointment of Owen Stephens to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

9/19/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be heard on September 28, 2006 meeting.

061345 [Confirmation of Mayor's Reappointment - Treasure Island Development Authority] Mayor

Resolution confirming the reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

9/19/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be heard on September 28, 2006 meeting.

Requests Granted

From: Supervisor Ammiano

To: Director, Department of Parking & Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to install stop signs at the intersection of 24th & Shotwell Streets, and report status updates to Supervisor Ammiano's office until it's completion.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing numerous potholes between Frederick and Carl on Cole St.

Thelma Page - Supervisor Mirkarimi

Beverly Herbert Gallaread - Supervisor Mirkarimi

Kean A. Brewer - Supervisor Dufty

Suzanne Driver - Supervisor Dufty

Michael John McCarthy - Supervisor Elsbernd

Thomas Egan - Supervisor Elsbernd

Maria Luisa Villa - Supervisor Elsbernd

ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:23 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 17, 2006.

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Board of Supervisors

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3/06

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MEETING MINUTES

Tuesday, October 3, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve the September 12, 2006 Board Meeting Mintues. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

061272 **[Sale of City Property - 425 Mason Street]** **Supervisor Peskin**

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

Enacted Number: 246-06

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

061128 **[Updating speed limit provisions on King Street and on the Embarcadero]**

Ordinance amending Section 175.20 of the Traffic Code, governing the speed limit on a portion of The Embarcadero, to reflect that the Embarcadero terminates at King Street, and amending Section 176.39 of the Traffic Code to extend the speed limit change on King Street from 5th Street to The Embarcadero. (Municipal Transportation Agency)

Enacted Number: 247-06

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

061116 **[Department of Emergency Management; Divisions of Emergency Communications and of Emergency Services; qualifications for Director and Deputy Directors]** Supervisors Alioto-Pier, Peskin

Ordinance amending the San Francisco Administrative Code, by amending Section 2A.200, to re-name the "Department of Emergency Communications" as the "Department of Emergency Management," establish Divisions of Emergency Communications and of Emergency Services within the Department, and set qualifications for the Director and Deputy Directors, and by amending Section 7.7, to substitute the Director of the Department of Emergency Management for the Director of Emergency Services.

Enacted Number: 261-06

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

061032 [Mission Bay North Commons at Park P17 Improvements] Supervisor Daly

Ordinance designating a portion of State Trust Parcel adjacent to Park P17 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way Terry A. Francois Boulevard; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,148 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Enacted Number: 248-06

FINALLY PASSED

061033 [Mission Bay - Parks NP1 & NP2 Improvements] Supervisor Daly

Ordinance designating a portion of State Trust Parcel 1 lying next to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 176,149 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Enacted Number: 249-06

FINALLY PASSED

061069 [Planning Code--Use of Public Sidewalk Space by Nonconforming Uses] Supervisors Mirkarimi, Maxwell, Alioto-Pier

Ordinance amending the San Francisco Planning Code by amending Sections 186 and 186.1 to allow certain nonconforming uses to occupy public sidewalk space with tables and chairs, when otherwise permitted; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 250-06

FINALLY PASSED

061077 **[Rent Ordinance: Evictions involving school-age children; Findings]** Supervisors McGoldrick, Mirkarimi, Ammiano

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.6(j) to identify and report data on evictions involving school-age children, include data on evictions during the school term; Findings.

Enacted Number: 251-06

FINALLY PASSED

061183 **[Landlord passthrough to residential tenants, 50% of property tax increase for general obligation bonds: Controller's explanation of proposed bonds; passthroughs authorized in CCSF bonds;** Supervisors Ammiano, Alioto-Pier, Elsbernd, Dufty, McGoldrick, Ma, Maxwell, Mirkarimi

Ordinance: (1) amending the San Francisco Municipal Elections Code by amending Section 520, to require that the Controller's financial analysis for a general obligation bond proposal include an explanation of the 50-percent passthrough of the change in a landlord's property tax under the proposed bond measure; (2) amending the San Francisco administrative Code by adding Section 2.40, to require that a proposal for bonded indebtedness of the City and county of San Francisco include a provision authorizing the 50-percent passthrough of the change in a landlord's property tax provided in Administrative Code Section 37.3(a)(6); and, (3) amending San Francisco Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2(q) and 37.3 (a)(6) to provide that landlords may pass through to tenants 50-percent of the change in the landlord's property tax resulting from the repayment of San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006.

Enacted Number: 252-06

FINALLY PASSED

061212 **[Board of Appeals: Legal Representation for Planning and Building Departments]** Supervisor McGoldrick

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 11(a) to establish a procedure for the City Attorney to provide legal representation for staff of the Planning Department and Department of Building Inspection appearing at hearings of the Board of Appeals with respect to certain matters.

Enacted Number: 253-06

FINALLY PASSED

061202 [Assignment of the Emporium Street Flower Market adjacent to 835 Market Street] Supervisor Peskin

Resolution approving the assignment of the street flower market permit identified as "The Emporium Street Flower Market on the south sidewalk of Market Street facing the location of 835 Market Street" to a living member of the Permittee's family pursuant to Article 5 Section 161(l) of the Public Works Code.

Enacted Number: 573-06

ADOPTED

061204 [Assignment of Street Flower Market at Stockton and Geary Streets] Supervisor Peskin

Resolution approving the assignment of the street flower market permit identified as "The East Sidewalk of Stockton Street within 100 feet south of the southerly of Geary Street to a living member of the Permittee 's family pursuant to Article 5 Section 161 (la) of the Public Works Code.

Enacted Number: 574-06

ADOPTED

Recommendations of the Rules Committee

060973 [Settlement of Lawsuit - Assessment Appeals Board]

Ordinance authorizing settlement of administrative writ petition filed by the City and County of San Francisco challenging the Assessment Appeals Board's Property Tax Assessment for the Giants' baseball park at China Basin for the 2001/02, 2002/03 and 2003/04 tax years contingent upon approval of roll values by the Assessment Appeals Board and payment of an amount that reflects the reduced roll values, including interest; City filed its writ petition on January 19, 2006 in San Francisco Superior Court, entitled City and County of San Francisco v. Assessment Appeals Board No. 1, Case No. 506010. (City Attorney)

Enacted Number: 254-06

FINALLY PASSED

061300 [Settlement of Lawsuits - Tran, Mansour and Le, et al., v. City and County of San Francisco, et al.]

Ordinance authorizing settlement of the lawsuits filed by Minh Tran, Thuba Tran, Thu Nguyen, Tarek Mansour, Khaled Mansour, Quoc Le, and Cuong Le against the City and County of San Francisco for $1,875,000.00; the lawsuits were filed on April 22, 2004 in San Francisco Superior Court, Case Nos. 430764, 430765 and 430766; entitled Tran, Mansour and Le, et al., v. City and County of San Francisco, et al; other material terms of settlement are Co-defendants to pay $5,565,000.00 and Caltrans to install temporary barriers and permanently fix condition that caused accident. (City Attorney)

Enacted Number: 255-06
FINALLY PASSED

061302 **[Appointment - Immigrant Rights Commission]**

Resolution appointing Solomon Jones, term ending June 6, 2008, Angus McCarthy, term ending June 6, 2007, and Elahe Enssani, term ending June 6, 2008, to the Immigrant Rights Commission.

Solomon Jones, succeeding himself, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2008. Angus McCarthy, succeeding Svetlana Kaff, seat 7, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007. Elahe Enssani, succeeding herself, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2008.

Enacted Number: 575-06
ADOPTED

061154 **[Settlement of Lawsuit - Stephen N. Farac v. City and County of San Francisco, et al.]**

Ordinance authorizing settlement of the matter of Stephen Farac v. City and County of San Francisco for $50,000. The lawsuit was filed on April 28, 2005, in San Francisco Superior Court, Case No. 440-820; entitled Stephen N. Farac v. City and County of San Francisco, and Does 1 Through 20, Inclusive. (City Attorney)

Enacted Number: 256-06
FINALLY PASSED

061171 [Settlement of Lawsuit - Department of Fair Employment and Housing v. City and County of San Francisco, et al]

Ordinance authorizing settlement of the lawsuit filed by Department of Fair Employment and Housing on behalf of Real Party in Interest Angela Martin against the City and County of San Francisco for $160,000.00; the lawsuit was filed on August 4, 2005, in San Francisco Superior Court, Case No. 443742; entitled Department of Fair Employment and Housing v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 257-06

FINALLY PASSED

061228 [Settlement of Lawsuit - John and Judith Bovio, et al., v. City and County of San Francisco, et al]

Ordinance authorizing settlement of the lawsuit filed by John and Judith Bovio against the City and County of San Francisco for $85,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436-946; entitled John and Judith Bovio, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 258-06

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

061030 [Regulating Street Artists - Compensation of Advisory Committee]

Ordinance amending Article 24 of the San Francisco Police Code by

amending Section 2402 to allow members of the Advisory Committee of Street Artists and Craftmen Examiners to be reimbursed for their reasonable travel expenses traveling to and from Committee meetings, Street Artist screenings, and other Advisory Committee activities. (Arts Commission)

(Supervisor Daly dissented in committee)

Enacted Number: 260-06

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Daly, Elsbernd, Ma

From the Rules Committee Without Recommendation

061227 **[Settlement of Lawsuit - CCSF, et al. v. Kam Kong Tang and Kai Yuen Ng]**

Ordinance authorizing the settlement of a lawsuit filed by the City and County of San Francisco against Kam Kong Tang and Kai Yuen Ng, former part owners of the King Tin Restaurant, for $85,000.00; the lawsuit was filed on August 3, 2005 for violation of the City's Minimum Wage Ordinance, in San Francisco Superior Court, Case No. 433685, entitled City and County of San Francisco, et al. v. Kam Kong Tang and Kai Yuen Ng. (City Attorney)

Enacted Number: 259-06

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061267 **[Public Employment - Office of the Treasurer** Supervisor McGoldrick

and Tax Collector]

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 0.71 Principal Clerk position, a 0.58 Personal Property Auditor position, and a 0.63 Management Assistant position in the Office of the Treasurer and Tax Collector.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061240 [In-kind agreement and acceptance of easement relating to 333 Fremont Street]

Resolution approving an in-kind agreement for the provision of a mid-block pathway and streetscape improvements to satisfy a portion of the developer's impact fee obligation relating to the 333 Fremont Street project; authorizing the acceptance of an easement for such mid-block pathway under the terms of the in-kind agreement; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution; and ratifying previous actions taken in connection therewith. (Planning Department)

Enacted Number: 576-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061270 [Authorizing the Office of Contract Administration to amend its contract with Xtech to exceed $19 million] Supervisor Daly

Resolution authorizing the Committee on Information Technology to enter into the Fourth Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount of $19,000,000 to $25,000,000.

Enacted Number: 577-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061273 [Funding Agreement for 2006 Spare the Air Campaign] Supervisor Ammiano

Resolution approving the Funding Agreement between the Metropolitan Transportation Commission and the City and County of San Francisco for the 2006 Spare the Air/Free Transit campaign.

Enacted Number: 578-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

061303 [Public Employment - Department of Public Health and the General Service Agency] Supervisor Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect proposed changes to the Department of Public Health and the General Service Agency staffing for the Health Access Program, increasing total staffing by 0.48 FTE.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061078 [Directing the Budget Analyst to conduct, on priority basis, a fiscal feasibility analysis of a City-owned Wireless Network] Supervisor McGoldrick

Motion directing the Budget Analyst to conduct, on priority basis, a fiscal feasibility analysis of a City-owned Wireless Network to promote digital inclusion by ensuring affordable internet access, affordable hardware, community-sensitive training and support, and relevant content to all San Franciscans, especially low-income and disadvantaged residents.

Enacted Number: M06-109

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

Recommendations of the Land Use and Economic Development Committee

051772 [Designating 2151 Van Ness Avenue, St. Brigid Church, as a Landmark, Under Planning Code Article 10] Supervisor Alioto-Pier

Ordinance Designating 2151 Van Ness Avenue, St. Brigid Church, As Landmark No. 252 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME**

TITLE. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061206 [Community Improvements and the Eastern Neighborhoods] Supervisors McGoldrick, Maxwell

Ordinance amending the Administrative Code to add Chapter 36 to provide procedures and inter-agency cooperation in the preparation and implementation of community improvements plans and programs as part of the creation of new Area Plans of the General Plan in the Eastern Neighborhoods, defined as including the proposed Market and Octavia, East South of Market, West South of Market, Inner Mission, Lower Potrero/Showplace Square, and Central Waterfront plan areas.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisors Daly and Dufty were noted absent at 3:15 p.m.

061337 [Hearing - Formation of a community facilities district in connection with the Mint Plaza Area]

Hearing to consider the approval to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza Area. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.

Andy Cole, speaking in support of the project

Eric Christopherson, speaking in support of the project

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

061309 **[Recommending approval of Community Facilities District formation and financing by the ABAG Finance Authority For Nonprofit Corporations relating to Mint Plaza]** Supervisor Daly

Resolution recommending approval of the formation of a community facilities district and the issuance of special tax bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza; making findings; approving related joint community facilities agreement; and granting general authority to city officials to take actions necessary to implement this resolution.

Enacted Number: 579-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Dufty

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

061269 **[Accept-Expend Federal Funding - Neighborhood Initiative Grant]** Supervisor Daly

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend a Neighborhood Initiative Grant from the U.S. Department of Housing and Urban Development in an amount not to exceed Nine Hundred Ninety Thousand Dollars ($990,000) for the rehabilitation and adaptive re-use of the Hotel Essex at 684 Ellis Street, San Francisco.

Enacted Number: 580-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with the absences of Supervisors from meetings and issues relating to the Middle East War

James Chaffee; expressed concern with issues relating to the SF Public Library

Eulla Walters; expressed concern with the renaming of the Ferry Park to Sue Bierman park

Lanore Dimore; expressed concern with issues related to police brutality and housing

Walter; showed interest in the Titanic exhibit

Eugene Gordon, Jr.; expressed concern with issues related to the violation of human rights

Brent Turner; expressed concern with issues related to voting system security and purchase of voting machines

Sylvia Johnson, expressed concern with general issues

John di Donna; shared a poem relating to the disabled

Male speaker; expressed concern with issues related to the improvement of Golden Gate Park, Recreation and Park Commissioners, and the District Attorney.

Male speaker; expressed concern with issues relating to the traffic during the Oracle convention and other taxi related issues

Chris Shafffer; showed interest in increasing the recreational facilities in the City

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisors Daly and Dufty were noted present at 3:25 p.m.

061352 **[Mortgage Credit Certificates]** Supervisor Elsbernd

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Enacted Number: 581-06
ADOPTED

061353 **[Urging Governor Schwarzenegger to grant parole to Flozelle Woodmore]** Supervisor Mirkarimi

Resolution urging Governor Schwarzenegger to follow the Parole Board's recommendation to grant parole to Flozelle Woodmore.

Enacted Number: 585-06
ADOPTED

061354 **[Commending Hala Hijazi]** Supervisors Daly, Peskin, Ma, Dufty, Elsbernd

Resolution commending Hala Hijazi for her work on the Old Mint Project.

Supervisors Dufty and Elsbernd requested to be added as co-sponsors.
Enacted Number: 582-06
ADOPTED

061355 [Supporting Proposition 89, the California Clean Money and Fair Elections Act of 2006] Supervisors Mirkarimi, Ma

Resolution in support of Proposition 89, the California Clean Money and Fair Elections Act of 2006 on November 7, 2006.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 583-06

ADOPTED

061334 [Final Map - 329 Bay Street]

Motion approving Final Map 3432, a 23 Unit Mixed-Use Condominium Project, located at 329 Bay Street being a subdivision of Lot 36 in Assessors Block No. 0041 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,348; District 3.)

Enacted Number: M06-108

APPROVED

061335 [Final Map - 638 19th Street]

Motion approving Final Map 3001, a 21 Unit Mixed-Use Condominium Project, located at 638 19th Street being a subdivision of Lot 30 in Assessors Block No. 4044 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,349; District 10.)

Enacted Number: M06-107

APPROVED

061336 [Final Map - 1843 - 1853 Filbert Street]

Motion approving Final Map 2670, a 6 Unit Residential Condominium Project, located at 1843 - 1853 Filbert Street being a subdivision of Lot 26 in Assessors Block No. 0530 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,291; District 2.)

Enacted Number: M06-106

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061364 **[Commending Ms. Margarita Hernandez]** Supervisor Dufty

Resolution commending Ms. Margarita Hernandez for her more than 20 years of outstanding Community Service to the 30th Street Senior Center.

Enacted Number: 584-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

061370 [Contract Amendment - CCSF and CBS Outdoor] Supervisor Maxwell

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to permit the contractor to advertise on the Third Street light rail vehicle platforms in exchange for maintenance of those platforms; to add shelters to the E-Line boarding islands; and to extend the agreement by six months.

10/3/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061371 [Prohibition on demolition of residential buildings without approval of the replacement structure] Supervisors Maxwell, Daly, McGoldrick

Ordinance amending the Planning Code by adding Section 317 to make findings as to the need to preserve affordable housing in San Francisco and to prohibit the demolition of residential buildings unless the Planning Commission issues conditional use authorization for a replacement structure; making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/3/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/2/2006.

061373 [Appropriating $10,675,589 of State and Federal revenues for various programs in the Department of Human Services for Fiscal Year 2006-2007] Mayor, Supervisor Dufty

Ordinance authorizing the Department of Human Services to accept and expend a Federal food stamps grant in the amount of $999,993, and appropriating $10,756,557 of State and Federal revenues for CalWORKS Work Participation Program, the Family and Children's Services Child Welfare Services Program, the Food Stamps Outreach Program, the Housing and Homeless Management Information System Program, and the Workforce Development's Food Stamps Employment and Training Program in the Department of Human Services for Fiscal Year 2006-2007.

(Fiscal impact.)

10/3/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061374 [Public Employment - Human Services Agency] Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 35.8 new positions at the Human Services Agency.

(Fiscal impact.)

10/3/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061375 [Elections Code Amendments] Supervisor Elsbernd

Ordinance amending Sections 120, 200, 220, 300, 340, 500, 525, 530, 535, 545, 550, 590, 610, and 810 of, and adding Section 815 to the Municipal Elections Code to: delete out-dated provisions relating to runoff elections; ensure that candidate statements are submitted in a uniform format; require that measures submitted by the Mayor, Board of Supervisors, or four or more Supervisors are submitted 95 days prior to the election; provide that failure to include an enacting clause in an initiative petition does not invalidate the petition; require the Department of Elections mail a voter information pamphlet to each registered San Francisco voter at least 29 days before an election; adjust the deadlines for ballot arguments and for the public review period to allow sufficient time for the voter information pamphlet to be prepared and mailed 29 days prior to the election; require ballot arguments to be submitted in a uniform format; provide a 24-hour period for the Ballot Simplification Committee to receive and act on written requests for the reconsideration of a digest; increase the filing fee for candidates to the Board of Supervisors; and clarify that candidates must file fees when submitting a candidate statement.

10/3/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/2/2006.

061376 [Rent Ordinance: applies to units where a tenant's occupancy predates federal low income housing tax credits] Supervisors Peskin, Maxwell, McGoldrick

Ordinance amending Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37, "Rent Ordinance") by amending the Section 37.2(r)(4) definition of "rental units" covered by the ordinance to include units in buildings for which tax credits are reserved or obtained pursuant to the federal low income housing tax credit program (LIHTC, Section 42 Internal Revenue Code, 26 U.S.C. Section 42), where: a tenant's occupancy pre-dates recordation of the LIHTC regulatory agreement; and, the rent is not otherwise controlled or regulated by any use restrictions imposed by the San Francisco Redevelopment Agency, the State of California Office of Housing and Community Development, or the City.

10/3/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

061364 [Commending Ms. Margarita Hernandez] Supervisor Dufty

Resolution commending Ms. Margarita Hernandez for her more than 20 years of outstanding Community Service to the 30th Street Senior Center.

10/3/06, ADOPTED.

061369 [Calling for the California Public Utilities Commission to evaluate and make recommendations on transformer safety] Supervisors Dufty, Peskin

Resolution requesting that the California Public Utilities Commission (CPUC) review and evaluate the safety precautions and mechanisms employed by the Pacific Gas & Electric Company (PG&E) and other California utilities to ensure that the transformers in San Francisco and throughout California are as safe and reliable as possible and to make recommendations on ensuring transformer safety.

10/3/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061372 [Residential Parking Area "X"] Supervisor Maxwell

Resolution rescinding 25 Sierra Street from Residential Parking Area "X".

10/3/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061377 [To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility] Supervisor Maxwell

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

10/3/06, SCHEDULED FOR PUBLIC HEARING. Scheduled for November 7, 2006 at 3:00 p.m.

061380 [Justice for the Bolivian People Massacred in October 2003 Demonstrations] Supervisor Daly

Resolution supporting justice for the Bolivian people massacred in October 2003 demonstrations and supporting the survivors' legal request that Gonzalo Sanchez de Lozada, Carlos Sanchez Berzain and Jorge Berindoague return to Bolivia immediately to stand trial in the case against them.

10/3/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061381 [Supporting Proposition 1A , the Transportation Funding Protection Legislative Constitutional Amendment] Supervisor Dufty

Resolution supporting California State Proposition 1A, the Transportation Funding Protection Legislative Constitutional Amendment.

10/3/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061382 **[Accept-Expend State Grant - Mayor's Office of Criminal Justice]** Mayor, Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $108,305 from the State Corrections Standards Authority for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

10/3/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061383 **[Accept and Expend State Grant - Department of the Environment]** Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $78,909.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and oil filter collection in marinas in the City and County of San Francisco serving the residents of the City.

10/3/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061384 **[Honoring International Tenants' Day]** Supervisors Mirkarimi, Ammiano, Daly

Resolution honoring October 2nd, 2006 as International Tenants' Day as proclaimed by the International Union of Tenants.

10/3/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061386 **[Supporting Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Act of 2006]** Supervisor Peskin

Resolution supporting California State Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Act of 2006.

10/3/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

061366 **[Department of Public Works street cleaning services in the South of Market]** Supervisor Daly

Hearing to consider the efficiency of Department of Public Works street cleaning services in the South of Market - requesting Controller, City Administrator and Department of Public Works to present on the efficiency of DPW street cleaning efforts in the South of Market.

10/3/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061367 **[Assess steep growth of Police Department Budget since Fiscal Year 1999-2000]** **Supervisor Daly**

Hearing to assess steep growth of Police Department Budget since Fiscal Year 1999-2000. Since FY 2003-04 the Police Department Budget has risen from $295M to $365M, a 23% increase. This hearing will address the budget growth since FY 1999-2000. Requesting presence of Controller, Budget Analyst and Police Department Finance Officers to discuss steep growth in the Police Department Budget. What factors have most contributed to the rising costs in the department? What concrete steps has the department taken to mitigate these rising costs? What steps are available to the department to proactively rein in its budget?

10/3/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061368 **[Creating an independent trunk line within the Hall of Justice]** **Supervisor Sandoval**

Hearing to discuss with the Department of Technology and Information Services (DTIS) how to create an independent trunk line within the Hall of Justice to ensure that relevant departments, including the Office of the Public Defender and all media organizations have access to secure phone communications and their phone records are kept confidential.

10/3/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions

061378 **[Committee of the Whole on December 5, 2006, at 3:00 pm on adopting a Resolution to acquire property by Eminent Domain - Islais Creek MUNI Maintenance Facility]** **Supervisor Maxwell**

Motion directing the Board of Supervisors to hold a public hearing on November 7, 2006, at 3:00 p.m., with the Board sitting as a committee of the whole, to consider adopting a Resolution of Necessity for the City's proposed acquisition by eminent domain of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility.

10/3/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

061333 **[Prohibiting Gifts From Restricted Sources]**

Ordinance amending section 3.216 of the Campaign and Governmental Conduct Code to prohibit City officers and employees from receiving any gifts from restricted sources other than nominal gifts exempted by the Ethics Commission and to clarify that exemptions to gift limits under state law also apply to limits imposed by local law. (Ethics Commission)

9/20/06, RECEIVED AND ASSIGNED to Rules Committee. (10/12/06 - Rules Committee Clerk spoke to John St. Croix and agreed to place this item on the November 16 draft agenda.)

PROPOSED RESOLUTIONS

061331 **[Study of at-risk and HIV positive youth in San Francisco]** Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $26,851 with the University of California (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2006 to February 28, 2007. (Public Health Department)

9/21/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Supervisor Dufty requested to be added as sponsor.

061332 **[Study of HIV transmission behavior in HIV-positive men]** Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $21,786 with the University of California, San Francisco (UCSF), the primary contractor, to participate in a study to examine decisions to have high transmission-risk sex; study the efficacy of a prevention counseling intervention; and determine whether future episodes of unprotected sex is reduced, for the period of September 1, 2005 to August 31, 2006. (Public Health Department)

9/21/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Supervisor Dufty requested to be added as sponsor.

061338 **[Street Artist Winter Holiday Spaces]** Supervisor Dufty

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2006, beginning on November 15, 2006 and ending on January 15, 2007. (Arts Commission)

9/26/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation amending Article 10 of the Planning Code to establish procedures that would assist the Landmarks Preservation Advisory Board, the Planning Commission, and the Board of Supervisors in including interior features in the landmarks designations for privately-owned buildings. Currently, Article 10 includes specific procedures for landmarking interior features of publicly-owned buildings, but is silent as to procedures for landmarking interior features of privately-owned buildings. This legislation would close that gap and provide a consistent set of procedures for including interiors of privately-owned buildings in the landmarks designations.

From: Supervisor Mirkarimi

To: Chief, Police Department

Requesting/Inquiring: Requesting the following information from the Chief of Police (SFPD), much of which has been previously requested by the Office of Legislative Analyst and or a member of the Board of Supervisors - due to these outstanding requests, please provide these items within seven days or an explanation to the cause of the continued delay:

1. Please provide the last three SFPD Efficiency Plans as required within legislation file no: 991879 [Performance and Review Ordinance]; in addition the said Ordinance, please provide the results of the "customer satisfaction surveys", and the "internal (officer) customer satisfaction survey".

2. Pursuant to the June 2006, Budget and Finance Committee action enabling a $250,000 (with a $250k match) allotment for instituting a tailored community policing program by SFPD for public housing in the Western Addition.

3. Please provide the plan you submitted in 2004 and/or 2005 and/or 2006 to the SF Police Commission and the Mayor for addressing the under-staffing and

In Memoriams

Ronald Stuart Clemens - Supervisors Ma and Daly

Delia Conde del Rosario - Supervisor Sandoval

Floyd Dade - Supervisor Sandoval

Godofredo Saniel Gomez - Supervisors Sandoval and Ma

Carlos Gilberto Aceituno - Supervisor Ammiano

Frances May Twohig McAteer - Supervisor Elsbernd

Jessie Mae Reid - Supervisor Dufty

Kin Hon Yee - Supervisor Dufty

PROPOSED MOTIONS

ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:42 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 7, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each

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請電 (415) 554-7701

Disability access

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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Board of Supervisors

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MEETING MINUTES

Tuesday, October 17, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll all Supervisor Sandoval was noted absent.

There was a quorum.

Supervisor Sandoval was noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Dufty, moved to approve the September 9, 2006 and September 26, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061267 **[Public Employment - Office of the Treasurer and Tax Collector]** **Supervisor McGoldrick**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 0.71 Principal Clerk position, a 0.58 Personal Property Auditor position, and a 0.63 Management Assistant position in the Office of the Treasurer and Tax Collector.

Enacted 264-06

Number:
FINALLY PASSED

061258 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $29,453,769 of Section 5309 fixed guideway capital assistance for various Municipal Railway capital projects and activities, excluding administrative overhead costs.

Enacted 603-06
Number:
ADOPTED

061259 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Elsbernd

Resolution authorizing the Municipal Transportation Agency to Accept and Expend $46,175,552 of Section 5307 and Surface Transportation Program capital assistance for various Municipal Railway capital projects and activities, excluding Administrative Overhead Costs.

Enacted 601-06
Number:
ADOPTED

061314 [Lease of Real Property at 1701 Ocean Avenue] Supervisor Sandoval

Resolution authorizing the lease of 5,000 square feet of space at 1701 Ocean Avenue for the OMI Family Center of the Department of Public Health.

(Fiscal impact.)

Enacted 598-06
Number:
ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

061306 [Provide SSI application assistance to the chronically homeless and mentally ill in San Francisco.] Mayor, Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $97,660 from the Social Security Administration (SSA) to provide SSI application assistance to the chronically homeless and mentally ill in San

Francisco and to enter into an agreement for the use of these funds; for the period of May 1, 2006 to April 30, 2007.

Enacted Number: 600-06
ADOPTED

061307 [Manage and follow-up on chronic health conditions among refugees in San Francisco] Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health, Newcomers Health Program (SFDPH, Newcomers) to accept and expend retroactively a new continuing grant in the initial amount of $55,000, from the California Department of Health Services, Refugee Health Section (CDHS/RHS) in support of a program entitled Refugee Preventive Health Program (RPHP), for the period of July 1, 2006 through June 30, 2007 with expected continuation for four additional years, and which includes a sub-contract with the International Institute of San Francisco (IISF) in the amount of $28,900 for the same time period.

Enacted Number: 599-06
ADOPTED

Recommendation of the Government Audit and Oversight Committee

061303 [Public Employment - Department of Public Health and the General Service Agency] Supervisor Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect proposed changes to the Department of Public Health and the General Service Agency staffing for the Health Access Program, increasing total staffing by 0.48 FTE.

Enacted Number: 262-06
FINALLY PASSED

Recommendations of the Rules Committee

061349 [Appointment - Bicycle Advisory Committee]

Resolution appointing Richard Tilles, term ending November 19, 2006, to the Bicycle Advisory Committee.

Richard Tilles, succeeding Lionel Shaw, resigned, seat 2, must be a nominee of District 2 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Enacted Number: 596-06
ADOPTED

061350 [Appointment - Shelter Monitoring Committee]

Resolution appointing Elizabeth Olsen, term ending November 23, 2006, to the Shelter Monitoring Committee.

Elizabeth Olsen, succeeding Joanne Smith, resigned, seat 2, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.

Enacted Number: 595-06
ADOPTED

061357 [Appointment - Children and Families First Commission]

Resolution appointing Kara Dukakis and Betty Robinson-Harris, terms ending April 29, 2010, to the Children and Families First Commission; residency requirement waived.

Kara Dukakis, succeeding Hector Melendez, term expired, seat 5, term expired, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for the unexpired portion of a four-year term ending April 29, 2010. Betty Robinson-Harris, succeeding Norman Yee, term expired, seat 8, term expired, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of

community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for the unexpired portion of a four-year term ending April 29, 2010.

Enacted Number: 590-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

051772 **[Designating 2151 Van Ness Avenue, St. Brigid Church, as a Landmark, Under Planning Code Article 10]** — **Supervisor Alioto-Pier**

Ordinance Designating 2151 Van Ness Avenue, St. Brigid Church, As Landmark No. 252 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

Enacted Number: 263-06
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061206 **[Community Improvements and the Eastern Neighborhoods]** — **Supervisors McGoldrick, Maxwell**

Ordinance amending the Administrative Code to add Chapter 36 to provide procedures and inter-agency cooperation in the preparation and implementation of community improvements plans and programs as part of the creation of new Area Plans of the General Plan in the Eastern Neighborhoods, defined as including the proposed Market and Octavia, East South of Market, West South of Market, Inner Mission, Lower Potrero/Showplace Square, and Central Waterfront plan areas.

Supervisor Ma, moved to continue this matter to November 7, 2006.

Motion failed for the lack of a second.

Enacted Number: 265-06

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061266 [Public Employment - Public Defender] Supervisors Mirkarimi, Daly, Ammiano, Maxwell

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1.0 Court Alternative Specialist I and 2.0 Social Workers in the Office of the Public Defender (PDR).

(Supervisor Peskin dissented in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 4 - Alioto-Pier, Elsbernd, Ma, Peskin

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved to rescind the previous vote.

Motion to rescind the vote carried without objection.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval
Noes: 5 - Alioto-Pier, Elsbernd, Ma, McGoldrick, Peskin

061297 **[Public Utilities Commission Short-Term Indebtedness]**

Ordinance amending Sections 43.5.1 through 43.5.4, inclusive, of the San Francisco Administrative Code to authorize the Director of Public Finance to designate an alternate, to implement the provisions of Article VIIIB of the Charter and to make other clarifying revisions. (Public Utilities Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061298 **[Authorization for the Public Utilities Commission to issue Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000]**

Ordinance approving the issuance by the Public Utilities Commission of its Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000 pursuant to Article VIIIB of the City Charter and Article V of Chapter 43 of Part I of the San Francisco Administrative Code, as amended, for the purpose of reconstructing and improving certain capital improvements related to the Wastewater Enterprise; approving the form and authorizing the execution of a credit facility, an issuing and paying agent agreement, one or more dealer agreements, an offering memorandum and other documents relating to such notes; approving the maximum interest rate on such notes; and related matters. (Public Utilities Commission)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061304 **[Appropriating $950,000 of State of California health program revenue for mental health wrap around services for the Department of Public Health for Fiscal Year 2006-2007]** Mayor, Supervisor Dufty

Ordinance appropriating $950,000 of State of California health program revenue for mental health wrap around services to provide clinical services to youth receiving services as a result of the SB 163 State initiative for the Department of Public Health for Fiscal Year 2006-2007, and authorizing reimbursement of contractor costs retroactive to September 1, 2006.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061312 **[Appropriating $2,166,000 to fund Laguna Honda Hospital increased costs for the Department of Public Health retroactive to Fiscal Year 2005-2006]** Supervisors Daly, Elsbernd

Ordinance appropriating $2,166,000 of Laguna Honda Hospital surplus revenues to fund increased costs in salaries, non-personal services, and materials and supplies for the Department of Public Health retroactive to Fiscal Year 2005-2006.

(Fiscal impact.)

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

061255 **[Providing for a taxi gate cap of $91.50 and a $0.25 fuel surcharge on the flag drop; the Board of Supervisors to consider other changes if the Taxi Commission has submitted a health care** Supervisor Peskin

Resolution modifying the Controller's determinations of inflationary increases in taxi fares and gate cap pursuant to Police Code Section 1137 to provide for a gate cap of $91.50 and a $0.25 fuel surcharge on the flag drop and to provide that the Board of Supervisors shall consider other changes to the gate cap and to fares if the Taxi Commission has submitted a formal proposal for a health care program for taxi drivers by April 1, 2007.

Amended by inserting on page 2, line 14, "going forward" after " $91.50".

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061239 **[Approval of Joint Powers Agreement for North Bayside System Unit facilities with the Cities of San Francisco, South San Francisco, San Bruno, Millbrae, and Burlingame]**

Resolution approving and authorizing the execution of an Agreement

between the Cities of San Francisco, South San Francisco, San Bruno, Millbrae, and Burlingame pertaining to capacity ownership, operation, maintenance and capital projects cost sharing for North Bayside System Unit (NBSU) Facilities. (Airport Commission)

Enacted Number: 602-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

061320 **[Property and Business Improvement Districts]** Supervisor Peskin

Ordinance amending Section 1511 of the San Francisco Business and Tax Regulations Code to (1) allow the owners of businesses who would pay at least 30% of the proposed assessment, or a combination of property owners and business owners who would pay at least 30% of the proposed assessment, to petition the Board of Supervisors to form a property and business improvement district, and (2) make conforming and clarifying changes to the procedural and substantive augmentation of state law governing the formation of property and business improvement districts.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061203 **[Approval of the sale of street flower market permit on Grant Avenue near Post Street and deletion of site location]** Supervisor Peskin

Ordinance approving the sale of a street flower market permit pursuant to San Francisco Public Works Code Article 5, Section 161, and amending Public Works Code Article 5, Section 155 to delete the flower market location on the east sidewalk of Grant Avenue within 100 feet south of the southerly line of Post Street.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061338 **[Street Artist Winter Holiday Spaces]** Supervisor Dufty

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2006, beginning

on November 15, 2006 and ending on January 15, 2007. (Arts Commission)

Enacted Number: 597-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

061343 **[Confirmation of Mayor's Appointment - Port Commission]** Mayor

Resolution confirming the appointment of Rodney Fong to the San Francisco Port Commission, term ending May 1, 2010.

Continued to October 24, 2006

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061344 **[Confirmation of Mayor's Appointment - Treasure Island Development Authority]** Mayor

Resolution confirming the appointment of Owen Stephens to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to re-refer this matter to Committee.

The motion to rerefer to Committee failed by the following vote:

Ayes: 4 - McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell

Continued to October 31, 2006

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061345 **[Confirmation of Mayor's Reappointment - Treasure Island Development Authority]** **Mayor**

Resolution confirming the reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to re-refer this matter to Committee.

The motion to rerefer to Committee failed by the following vote:

Ayes: 4 - McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell

Continued to October 31, 2006

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Maxwell Excused From Voting

Supervisor Alioto-Pier, seconded by Supervisor Ma, moved to excuse Supervisor Maxwell from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

061346 **[Appointment - Peninsula Corridor Study Joint Powers Board]**

Resolution appointing Supervisor Sophie Maxwell, term ending June 30, 2008, to the Peninsula Corridor Study Joint Powers Board.

Supervisor Sophie Maxwell, succeeding herself, term expired, seat 1, must be appointed by the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2008.

Enacted Number: 588-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

061347 [Appointment - Urban Counties Caucus]

Resolution appointing Supervisor Chris Daly, term ending December 31, 2006, to the Urban Counties Caucus.

Supervisor Chris Daly, succeeding himself, term expired, seat 1, must be an elected representative from each County Board of Supervisors maintaining the membership of its supervisors in the Caucus. Each representative shall be selected at the beginning of the calendar year by the Board of Supervisors to serve a term of not less than two years to coincide with the sessions of the California Legislature, for the unexpired portion of a two-year term ending December 31, 2006.

Enacted Number: 589-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

060700 [Police Foot Patrols]

Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern and Bayview Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

Supervisor Daly moved to divide the question to discuss whether to amend the legislation to include the addition of Central and Richmond Police Stations.

File was divided. (See File No. 061453)

Supervisor Daly moved to amend the legislation to remove language

relating to the delay of the implementation of the Ordinance.

Motion failed for lack of a second.

PASSED ON FIRST READING AS DIVIDED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Peskin

061453 **[Police Foot Patrols]** **Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval**

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern, Bayview, Central and Richmond Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

Amended to add language to include the addition of Central and Richmond District Police Stations.

Supervisor McGoldrick, seconded by Supervisor Ma, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 6 - Daly, Dufty, Ma, Maxwell, McGoldrick, Sandoval
Noes: 5 - Alioto-Pier, Ammiano, Elsbernd, Mirkarimi, Peskin

Referred as amended.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Ordinance be REFERRED to the Select Committee on Ending Gun and Gang Violence. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time

limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless

Male Speaker; showed support for Supervisor Dufty

James Chaffee; expressed concern with issues relating to the SF Public Library

John Rosen; expressed concern with issues relating to the divestment of monies to the Sudan

Walter; shared with the Board memorabilia and concern with the loudness of sirens

Eugene Gordon, Jr.; expressed concern with issues relating to the violations of human rights

Sylvia Johnson; expressed concern with issues relating to the homeless and violence

Eula Walters; expressed concern with renaming of Ferry Park to Sue Bierman park

John Di Donna; expressed concern with issues relating to the remarks made regarding the birth of Supervisor Dufty's child

Male speaker; expressed concern with issues relating to district elections rather than City-wide elections and the Recreation and Park Commission

Female speaker; showed interest with issues relating to sex workers rights

Victoria Powell; showed interest with issues relating to sex workers rights

Francisco Da Costa; expressed concern with issues relating to the Bay View Hunters Point Area

Supervisor McGoldrick was noted absent at 4:30 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061380 [Justice for the Bolivian People Massacred in October 2003 Demonstrations] Supervisor Daly

Resolution supporting justice for the Bolivian people massacred in October 2003 demonstrations and supporting the survivors' legal request that Gonzalo Sanchez de Lozada, Carlos Sanchez Berzain and Jorge Berindoague return to Bolivia immediately to stand trial in the case against them.

Enacted Number: 604-06
ADOPTED

061381 [Supporting Proposition 1A , the Transportation Funding Protection Legislative Constitutional Amendment] Supervisor Dufty

Resolution supporting California State Proposition 1A, the Transportation Funding Protection Legislative Constitutional Amendment.

Enacted Number: 591-06
ADOPTED

061382 [Accept-Expend State Grant - Mayor's Office of Criminal Justice] Mayor, Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $108,305 from the State Corrections Standards Authority for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

Enacted Number: 594-06
ADOPTED

061383 [Accept and Expend State Grant - Department of the Environment] Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $78,909.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and oil filter collection in marinas in the City and County of San Francisco serving the residents of the City.

Enacted Number: 593-06
ADOPTED

061384 [Honoring International Tenants' Day] Supervisors Mirkarimi, Ammiano, Daly

Resolution honoring October 2nd, 2006 as International Tenants' Day as proclaimed by the International Union of Tenants.

Enacted Number: 587-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Severed from Without Reference to Committee Agenda

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

061378 **[Committee of the Whole on December 5, 2006, at 3:00 pm on adopting a Resolution to acquire property by Eminent Domain - Islais Creek MUNI Maintenance Facility]** Supervisor Maxwell

Motion directing the Board of Supervisors to hold a public hearing on November 7, 2006, at 3:00 p.m., with the Board sitting as a committee of the whole, to consider adopting a Resolution of Necessity for the City's proposed acquisition by eminent domain of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility.

Amended by replacing "November 7, 2006" with "December 5, 2006."

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Motion directing the Board of Supervisors to hold a public hearing on December 5, 2006, at 3:00 p.m., with the Board sitting as a committee of the whole, to consider adopting a Resolution of Necessity for the City's proposed acquisition by eminent domain of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and

Maintenance Facility.

Continued to November 7, 2006

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Peskin requested that this matter be severed so that it might be considered separately

061386 **[Supporting Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Act of 2006]** **Supervisor Peskin**

Resolution supporting California State Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Act of 2006.

REFERRED to the City and School District Select Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Maxwell, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Maxwell, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

061421 **[Mission Hiring Hall's 35th Anniversary]** Supervisor Daly

Resolution commending Mission Hiring Hall for the outstanding opportunities that it has provided to the local community through its employment services over the past 35 years, giving San Franciscans the opportunity to live a dignified life.

Enacted Number: 592-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

061427 **[Departmental Efficiency Plans]** Mayor, Supervisor Peskin

Ordinance amending San Francisco Administrative Code by amending Section 88.4 and repealing Sections 88.5, 88.6, 88.7 and 88.8, to streamline the requirements for departmental efficiency plans.

10/17/06, RECEIVED AND ASSIGNED to Rules Committee.

061428 **[Appropriating $1,250,941 of Federal, State and General Fund Reserve to support overtime costs in the Sheriff's Department for Fiscal Year 2006-2007]** Mayor, Supervisors Daly, Dufty

Ordinance appropriating $433,881 Federal revenue, $181,609 State revenue and $678,788 General Fund reserve to support overtime costs related to the staffing of one additional inmate Pod at the San Bruno Jail and increased boarding of prisoners in the Sheriff's Department for Fiscal Year 2006-2007, and placing $667,530 on Controller's reserve pending review of actual overtime expenditures.

(Fiscal impact.)

10/17/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061430 [Moratorium on the Granting of New Massage Establishment Permits] Supervisor Ma

Ordinance amending the San Francisco Health Code by adding Section 1913.1, to impose a one-year moratorium on the Health Department's granting of new massage establishment permits.

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061432 [Clean Construction Ordinance] Supervisor Maxwell

Ordinance amending the Administrative Code to add Section 6.25 to require City Contractors to adopt clean construction practices including biodiesel fuel and emissions controls within one year; amending the Administrative Code to add Section 6.67 to allow City departments that are authorized to award public works contracts to compare bids on the basis of clean construction practices; and amending the Environment Code to add Section 411 to urge City departments with off-road construction equipment to apply for funding to retrofit or replace such equipment , to authorize the Department of the Environment to assist local businesses in applying for such funding, and to require annual reporting.

(Fiscal impact.)

10/17/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/16/2006.

061438 [Public Works Code - Sidewalk flower-vending stands] Supervisor McGoldrick

Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to impose a two year-limit on sidewalk flower-vending stand permits and establish a lottery process for subsequent permit issuance for such stands, to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations.

10/17/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/16/2006.

061439 [Raising the amount of the City Attorney's settlement authority regarding claims made by minors from $1,500 to $5,000] Supervisor Peskin

Ordinance amending the San Francisco Administrative Code, by amending Section 10.22-1 to raise the amount of the City Attorney's settlement authority regarding claims made by minors from $1,500 to $5,000.

10/17/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/16/2006.

Resolutions

061404 **[Increasing the distribution of uniform filing fees to the Law Library provided by the Business and Professions Code]** Supervisor Peskin

Resolution increasing the distribution of uniform filing fees provided by Business and Professions Code sections 6321 and 6322.1 to defray Law Library expenses.

10/17/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061419 **[Resolution of Intention to form the Fisherman's Wharf Portside Community Benefit District]** Supervisor Peskin

Resolution (1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district (community benefit district) to be known as the "Fisherman's Wharf Portside Community Benefit District" and levy a multi-year assessment on identified businesses in the district, (2) approving the management district plan for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing as required by law.

10/17/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

061420 **[Assessment Ballot for City Parcel]** Supervisor Daly

Resolution authorizing the Mayor to cast an assessment ballot in the affirmative on behalf of the City and County of San Francisco as the owner of one parcel of real property that would be subject to assessment in the proposed property and business improvement district to be named the Central Market Community Benefit District.

10/17/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

061421 **[Mission Hiring Hall's 35th Anniversary]** Supervisor Daly

Resolution commending Mission Hiring Hall for the outstanding opportunities that it has provided to the local community through its employment services over the past 35 years, giving San Franciscans the opportunity to live a dignified life.

10/17/06, ADOPTED.

061422 **[Grant of Federal Funds - Municipal Transportation Agency]** Supervisor Peskin

Resolution authorizing the Municipal Transportation Agency to accept and expend $24,502,500 of Federal Section 5309 New Starts Capital Assistance for the Third Street-Phase II - Central Subway project, excluding administrative overhead costs.

(Fiscal impact.)

10/17/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

061429 [Landmark Designation nomination for seven trees at 4124 23rd Street] Supervisor Dufty

Resolution of intent initiating the nomination of the a 100-year-old Oak Tree, located at 4120 23rd Street for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Code Section 810(d), and authorizing other official acts in furtherance of this Resolution.

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061431 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,693,215 of federal Section 5309 Bus and Bus Facilities funding for design and construction of Muni's Islais Creek Facility and the purchase of Automatic Vehicle Locator (AVL) equipment.

(Fiscal impact.)

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061433 [Accept-Expend Bayview Hunters Point Farmers' Market Grant] Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $19,250 from Clear Focus Coaching, Inc., for the purpose of operating a farmers' market in the Bayview Hunters Point (BVHP) community.

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061434 [Accept and Expend CALFED Water Use Efficiency Grant Funds] Supervisor Ma

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a CALFED Water Use Efficiency Grant in the amount of $299,390 through the United States Department of the Interior, Bureau of Reclamation.

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061435 [Accept-Expend Grant - Juvenile Probation Department] Supervisor Maxwell

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $125,000 from the Annie E. Casey Foundation to support juvenile justice reform activities at the Juvenile Probation Department.

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061436 **[Authorizing Corrections Standards Authority Grant Application]** Supervisor Maxwell

Resolution authorizing the application to Department Of Corrections And Rehabilitation Corrections Standards Authority by the San Francisco Juvenile Probation Department to support the Department's efforts to address Disproportionate Minority Contact (DMC).

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061437 **[Landmark Designation nomination for tree located at 619 19th Avenue]** Supervisor McGoldrick

Resolution of intent initiating the nomination of the Palm tree located at 619 19th Avenue (Assessor's Block 1625, Lot 005) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061440 **[Pedestrian Safety -- Intersection of Broadway Street, Columbus Avenue, and Grant Avenue]** Supervisor Peskin

Resolution urging the Department of Parking and Traffic to install a Scramble Signal at the intersection of Broadway Street, Columbus Avenue, and Grant Avenue.

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061441 **[Urging BART Board of Directors to reconsider decision to allow alcohol advertising]** Supervisors Ammiano, Maxwell, Dufty, Daly

Resolution urging the BART Board of Directors to reconsider its recent decision to permit alcohol advertising in BART stations and trains.

10/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061442 **[Continuing the Ongoing work of the Utility Undergrounding Task Force until January 31, 2007]** Supervisor Dufty

Resolution continuing the ongoing work of the Utility Undergrounding Task

Force to advise the City and County of San Francisco on the future of the utility undergrounding process in San Francisco and to complete its work by October 31, 2006.

10/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061443 **[Supporting Proposition 86, the Tobacco Tax Act]** **Supervisor Ma**

Resolution supporting Proposition 86, the Tobacco Tax Act.

10/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061445 **[Commending California State Senate Assistant President Pro Tempore Jackie Speier]** **Supervisor Sandoval**

Resolution commending California State Senator Jackie Speier for nearly three decades of legislative service.

10/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061446 **[Proclaiming October 24, 2006 as Stoney, A Clown Who Rabble Rouses in Defense Of Free Speech, Day]** **Supervisor Sandoval**

Resolution proclaiming October 24, 2006 as Stoney Day.

10/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

061423 **[Revenue collection and the lack of revenue coming from various parking zones]** **Supervisor McGoldrick**

Hearing to discuss revenue collection and the lack of revenue coming from various parking zones.

10/17/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061424 **[Revenue losses associated with the use of white zones for valet parking]** **Supervisor McGoldrick**

Hearing to discuss the revenue losses associated with the use of white zones for valet parking and to establish a fee to recover said lost revenues.

10/17/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061425 **[Constant double parking and passenger loading and unloading in the white zone - Kaiser Permanente building at 2238 Geary Boulevard]** Supervisor McGoldrick

Hearing to discuss the potentially dangerous situation presented due to constant double parking and passenger loading and unloading in the white zone at the Kaiser Permanente building at 2238 Geary Boulevard.

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061426 **[Westfield Center]** Supervisor McGoldrick

Hearing to evaluate the legality of the new Westfield Center general advertising sign that has been constructed on the south side of the building located at 1755 Market Street (aka 10-16 Valencia Street) facing the exiting traffic from the Central Freeway onto Octavia Boulevard.

10/17/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

061418 **[Providing policy direction to the Office of the Clerk of the Board of Supervisors regarding public access to its records]**

Motion providing policy direction to the Office of the Clerk of the Board of Supervisors regarding public access to its records. (Clerk of the Board)

10/17/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests for a Committee hearing on the subject matter.

061444 **[Waiver permitting City Employees to Assist the Department of Elections with the November 7, 2006 election]** Supervisor Peskin

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 7, 2006 election.

10/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

061359 **[Settlement of Lawsuit - CCSF v. William D. Spencer, F. W. Spencer & Son, Inc., et. al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against William D. Spencer, F.W. Spencer & Son, Inc., Brisbane Mechanical Company, Bruce Bonar, Lou Thomas, William McGahan (together, the "Spencer Parties"), A. Answer, Inc. and Troy's Contracting, Inc. on January 16, 2004 in San Francisco Superior Court, Case No. CGC -04-429249, entitled, City and County of San Francisco et. al. v. F. W. Spencer & Son, Inc. et. al., with (a) the Spencer Parties paying $2,000,000 by January 24, 2007, and dismissing its actions and cross-actions against the City and others and the Spencer Parties releasing all claims on the Moscone Center Expansion Project and The San Francisco Jail Replacement No. 3 Project ; and (b) A. Answer, Inc. and Troy's Contracting, Inc. paying $124,000 within 60 days of final approval of this settlement. The Spencer Parties' action was brought against San Francisco, City Attorney Dennis Herrera and others, and was coordinated as part of the California Judicial Council Coordination Proceeding No. 4379. (City Attorney)

9/29/06, RECEIVED AND ASSIGNED to Rules Committee.

061360 **[Setting speed limit on portions of Kezar and John F. Kennedy Drives]**

Ordinance amending the Traffic Code by adding a new Section 175.07, establishing a speed limit of 30 MPH on Kezar Drive between Lincoln Way and John F. Kennedy Drive, and on John F. Kennedy Drive between Kezar Drive and Stanyan Street.

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3252.)

10/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED RESOLUTIONS

061361 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
990 Greenwich Street, from 7.4 feet to 16 feet east of Jones Street, accommodating two motorcycle parking spaces.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM,

MONDAY THROUGH FRIDAY) - ESTABLISH
22nd Street, both sides, between Bryant and Florida Streets.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
20th Avenue, both sides, between Eucalyptus Drive and Ocean Avenue (3000 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Cesar Chavez Street, both sides, between Noe and Sanchez Streets (4000 block).

NO PARKING ANYTIME - ESTABLISH
Shotwell Street, west side, from Cesar Chavez Street to 102 feet south of 26th Street.

NO PARKING (RED ZONES) ANYTME - ESTABLISH
Broadway, south side, from Columbus Avenue to 65 feet easterly (6-foot extension of sidewalk;
Broadway, north side, 57 feet west of Kearny Street (6-foot extension of the sidewalk); and,
Broadway, south side, 52 feet west of Kearny Street (6-foot extension of the sidewalk)

TOW AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Columbus Avenue, west side, from Broadway to 60 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Waller Street, north side, from the driveway of 530 Waller Street to the driveway of 532 Waller Street (18-foot space, accommodating 5 unmetered motorcycle parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
16th Street, north side, from Bryant Street to 80 feet easterly (80-foot zone to create a right-turn only pocket).

TOW-AWAY, NO STOPPING AND TRANSIT LANE ONLY, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Harrison Street, north side, from the Embarcardero to First Street

RESIDENTIAL PERMIT PARKING AREA "Y" (2 HOUR PARKING TIME LIMIT, 9 AM TO 10 PM, EVERYDAY) - ESTABLISH
Harrison Street, south side, between Fremont and Spear Streets (currently unregulated);
Spear Street, west side, from Harrison Street to 140 feet southerly (currently
unregulated);
Main Street, both sides, between Harrison and Bryant Streets (currently unregulated);
Beale Street, both sides, between Bryant and Harrison Streets (replaces existing
signed time limits); and,
Beale Street, west side, between Harrison and Folsom Streets (replaces existing
signed time limits).

PARKING METER AREA 1 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Harrison Street, north side, between Fremont and Spear Streets (currently unregulated);
Spear Street, east side, from Harrison Street to 140 feet southerly (currently unregulated);
Harrison Street, south side, between The Embarcadero and Spear Streets (replaces signed time limit);
Beale Street, east side, between Folsom and Harrison Streets (currently unregulated)
Townsend Street, both sides, between 2nd Street and Colin P. Kelly Jr. Street (replaces 2 -hour signed time limit);
Brannan Street, both sides, between 2nd Street and

10/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061362 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
22nd Avenue and Moraga Street, stopping 22nd Avenue, making this intersection an All-Way STOP;
Peru Avenue and Athens Street, stopping eastbound Peru Avenue, the stem of this T-intersection;
Circular Avenue and Havelock Street, stopping southbound Circular Avenue (legislates existing conditions);
Dorantes Avenue at Magellan Avenue, stopping Dorantes Avenue, making this T-intersection an All-Way STOP; and,
Brighton Avenue at Lakeview Avenue, stopping southbound Brighton Avenue, the stem of this T-intersection. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

10/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061363 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT - ESTABLISH
Columbus Avenue, west side, from Broadway to 60 feet northerly.

ONE WAY STREET - RESCIND
Beale Street, between Bryant and Folsom Streets.

BIKE LANE (SOUTHBOUND) - ESTABLISH
Beale Street, west side, between Bryant and Folsom Streets. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

10/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061391 [Contract With Anticipated Expenditure in Excess of $10 Million]

Resolution approving the Fourth Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for hauling services, resulting in total compensation to the Contractor in an amount not to exceed $10,480,000, pursuant to San Francisco Charter Section 9.118(b). (Purchaser)

10/6/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

061387 [Appointment, Planning Commission] Mayor

Motion approving the Mayor's appointment of Marilyn Sue Lee to the Planning Commission term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061388.) Transmittal date - October 3, 2006.

10/3/06, RECEIVED AND ASSIGNED to Rules Committee.

061388 [Appointment, Planning Commission] Mayor

Motion rejecting the Mayor's appointment of Marilyn Sue Lee to the Planning Commission term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061387.) Transmittal date - October 3, 2006.

10/3/06, RECEIVED AND ASSIGNED to Rules Committee.

061389 [Reappointment, Planning Commission]

Motion approving the Mayor's reappointment of William L. Lee to the Planning Commission term ending July 1, 2010. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061390.) Transmittal date - October 3, 2006.

10/3/06, RECEIVED AND ASSIGNED to Rules Committee.

061390 [Reappointment, Planning Commission]

Motion rejecting the Mayor's reappointment of William L. Lee to the Planning Commission term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061389.) Transmittal date - October 3, 2006.

10/3/06, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of painting white a STOP and a white line at the exit of the parking lot located between Irving and Judah and 8th Avenue and 9th Avenue.

From: Supervisor Ammiano

To: Superintendent, SFUSD

To: Director, Department of Public Works

Requesting/Inquiring: Requesting letter asking how they can make sure that in the future sanitary conditions around Marshall School and its environs be maintained at a level befitting a school.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of 2 hour parking meters in Upper Haight merchant corridor on Haight Street between Central and Stanyan; cross streets Masonic, Ashbury, Clayton, Belvedere, Cole, and Shrader between Waller and Page Streets; and Stanyan between Frederick and Oak Streets.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repainting crosswalks at the following locations: Grove and Buchanan and Cole and Frederick.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs located at the following locations: 78 Parnassus, 106 Parnassus, the northeast and southeast corners of Page and Baker, 1135 Masonic Avenue, 1101 Masonic Avenue (in front of Whitney Mansion), Southwest corner of Belvedere and Haight.

From: Supervisor Mirkarimi

To: Director, Department of Parking and

In Memoriams

Paul Bergez - Supervisor Elsbernd

Bernett Raven Jr. - Supervisor Mirkarimi

Susan Bullard - Supervisor Mirkarimi

Aleta Fenceroy - Supervisor Mirkarimi

Wess - Supervisor Dufty

Guido "Eddie" Nannini - Supervisor Sandoval

Gerry Studds - Entire Board

Jeff Getty - Supervisors Ammiano and Dufty

Roman (Ray) Koziarski - Supervisor Ammiano

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:35 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 7, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability access

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance,

contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, October 24, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Jake McGoldrick.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisors Daly, Dufty and McGoldrick were noted absent.

There was a quorum.

Supervisors Daly and Dufty were noted present at 2:04 p.m.

Supervisor McGoldrick Excused From Attendance

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved to excuse Supervisor McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061297 **[Public Utilities Commission Short-Term Indebtedness]**

Ordinance amending Sections 43.5.1 through 43.5.4, inclusive, of the San Francisco Administrative Code to authorize the Director of Public Finance to designate an alternate, to implement the provisions of Article VIIIB of the

Charter and to make other clarifying revisions. (Public Utilities Commission)

Enacted Number: 270-06
FINALLY PASSED

061298 [Authorization for the Public Utilities Commission to issue Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000]

Ordinance approving the issuance by the Public Utilities Commission of its Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000 pursuant to Article VIIIB of the City Charter and Article V of Chapter 43 of Part I of the San Francisco Administrative Code, as amended, for the purpose of reconstructing and improving certain capital improvements related to the Wastewater Enterprise; approving the form and authorizing the execution of a credit facility, an issuing and paying agent agreement, one or more dealer agreements, an offering memorandum and other documents relating to such notes; approving the maximum interest rate on such notes; and related matters. (Public Utilities Commission)

(Fiscal impact.)

Enacted Number: 266-06
FINALLY PASSED

061304 [Appropriating $950,000 of State of California health program revenue for mental health wrap around services for the Department of Public Health for Fiscal Year 2006-2007] Mayor, Supervisor Dufty

Ordinance appropriating $950,000 of State of California health program revenue for mental health wrap around services to provide clinical services to youth receiving services as a result of the SB 163 State initiative for the Department of Public Health for Fiscal Year 2006-2007, and authorizing reimbursement of contractor costs retroactive to September 1, 2006.

Enacted Number: 267-06
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

061107 **[Traffic Regulations]** **Supervisor Ma**

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Sloat Boulevard, both directions, from Skyline Boulevard to The Great Highway.

RIGHT LANE MUST TURN RIGHT - RESCIND
Sloat Boulevard, eastbound, from Skyline Boulevard to 300 feet westerly.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH
Sloat Boulevard, westbound, from 37th Avenue to 39th Avenue; and,
Sloat Boulevard, eastbound, from Skyline Boulevard to 350 feet westerly.
(Parking and Traffic Department)

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3190.)

Enacted Number: 630-06
ADOPTED

061229 **[Liquor License Transfer, 1455 Custer Avenue]**

Hearing to consider that the transfer of a Type 20 off-sale beer and wine license from 55 Beverly Street to 1455 Custer Avenue (District 10), to Kathryn E. Kaufer, dba Kaufer's Religious Supplies, will serve the convenience of the people of the City and County of San Francisco.

Enacted Number: 629-06
ADOPTED

061242 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
20th and Sanchez Streets, stopping the Liberty Street approaches to 20th Street;
Manzanita Avenue and Euclid Avenue, stopping Manzanita Avenue;
Iris Avenue and Euclid Avenue, stopping Iris Avenue;
King Street at Division Street, stopping southbound King Street;
Green and Montgomery Streets, stopping Montgomery Street at Green Street, making this uncontrolled intersection a two-way STOP.
Crestlake Drive and Yorba Street, making this Y-intersection an All-Way STOP. (Parking and Traffic Department)

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9)

changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

Enacted Number: 628-06
ADOPTED

061257 [Parking Regulations - Noe Street] Supervisor Dufty

Resolution enacting angle parking regulations on the east side of Noe Street, between 29th and Day Streets.

Enacted Number: 627-06
ADOPTED

061313 [STOP Intersections] Supervisor Dufty

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Addison and Farnum Streets, stopping Addison Street, making this intersection an all-way STOP.

(9/15/06 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 626-06
ADOPTED

061289 [Gift - Private - Department of Public Health, Laguna Honda Hospital & Rehabilitation Center] Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health (SFDPH), Laguna Honda Hospital & Rehabilitation Center (LHH) to accept and expend a monetary gift donation to Laguna Honda Hospital in the amount of $50,000 from the Mildred Oliva Trust, through Shirley A. Reece, Trustee, for the exclusive benefit of the residents of the LHH Hospice Unit. (Public Health Department)

Enacted Number: 625-06
ADOPTED

061290 [Gift of Equipment to Fire Department]

Resolution accepting a gift of equipment to the Fire Department from the Fireman's Fund Insurance Company as follows: (1) an ambulance simulator and a training mannequin, with a combined value of approximately $37,200; and (2) equipment for the Fire Boat valued at approximately $10,000.

Enacted Number: 624-06
ADOPTED

061331 [Study of at-risk and HIV positive youth in San Francisco] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $26,851 with the University of California (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2006 to February 28, 2007. (Public Health Department)

Enacted Number: 623-06
ADOPTED

061332 [Study of HIV transmission behavior in HIV-positive men] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $21,786 with the University of California, San Francisco (UCSF), the primary contractor, to participate in a study to examine decisions to have high transmission-risk sex; study the efficacy of a prevention counseling intervention; and determine whether future episodes of unprotected sex is reduced, for the period of September 1, 2005 to August 31, 2006. (Public Health Department)

Enacted Number: 622-06
ADOPTED

Recommendations of the Land Use and Economic Development Committee

061320 [Property and Business Improvement Districts] Supervisor Peskin

Ordinance amending Section 1511 of the San Francisco Business and Tax Regulations Code to (1) allow the owners of businesses who would pay at least 30% of the proposed assessment, or a combination of property owners and business owners who would pay at least 30% of the proposed assessment, to petition the Board of Supervisors to form a property and business improvement district, and (2) make conforming and clarifying

changes to the procedural and substantive augmentation of state law governing the formation of property and business improvement districts.

Enacted Number: 268-06
FINALLY PASSED

061203 [Approval of the sale of street flower market permit on Grant Avenue near Post Street and deletion of site location] Supervisor Peskin

Ordinance approving the sale of a street flower market permit pursuant to San Francisco Public Works Code Article 5, Section 161, and amending Public Works Code Article 5, Section 155 to delete the flower market location on the east sidewalk of Grant Avenue within 100 feet south of the southerly line of Post Street.

Enacted Number: 271-06
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Severed from the Consent Agenda

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

Supervisors Daly and Dufty were noted present at 2:09 p.m.

061266 **[Public Employment - Public Defender]** **Supervisors Mirkarimi, Daly, Ammiano, Maxwell**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1.0 Court Alternative Specialist I and 2.0 Social Workers in the Office of the Public Defender (PDR).

(Supervisor Peskin dissented in committee.)

Enacted Number: 272-06

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 4 - Alioto-Pier, Elsbernd, Ma, Peskin

061312 **[Appropriating $2,166,000 to fund Laguna Honda Hospital increased costs for the Department of Public Health retroactive to Fiscal Year 2005-2006]** **Supervisors Daly, Elsbernd**

Ordinance appropriating $2,166,000 of Laguna Honda Hospital surplus revenues to fund increased costs in salaries, non-personal services, and materials and supplies for the Department of Public Health retroactive to Fiscal Year 2005-2006.

(Fiscal impact.)

Enacted Number: 269-06

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Excused: 1 - McGoldrick

Recommendation of the Land Use and Economic Development Committee

050176 [Amending the Planning Code to make all massage establishments conditional uses] Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor McGoldrick dissented in committee.

Supervisor Dufty, seconded by Supervisor Ma, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Continued to November 7, 2006

Supervisor Ma, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendation of the Select Committee on Ending Gun & Gang Violence

060700 [Police Foot Patrols] Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern and Bayview Police District Stations, and require reporting and review on the effectiveness of the foot patrols. NOTE: This action requires a two-thirds vote. The Board may not amend the

ordinance and may only vote in favor or in opposition to te veto override. The Board of Supervisors must act on the veto override within 30 days of the date of teh veto. The Mayor vetoed the Ordinance on November 3, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before December 3, 2006.)

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendation of the Rules Committee

061343 **[Confirmation of Mayor's Appointment - Port Commission]** **Mayor**

Resolution confirming the appointment of Rodney Fong to the San Francisco Port Commission, term ending May 1, 2010.

Enacted Number: 614-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061275 **[Appropriating $2,258,089 of General Fund Reserve for Violence Prevention in the Police Department, Adult Probation and Juvenile Probation for Fiscal Year 2006-2007.]** **Mayor**

Ordinance appropriating $2,258,089 of General Fund Reserve for violence prevention programs, including $1,880,548 in the Police Department for additional salaries and overtime, $268,018 in the Adult Probation Department for salaries, overtime and equipment, $49,523 in the Juvenile Probation Department for increased overtime, and $60,000 in the Sheriff's Department for overtime for Fiscal Year 2006-2007; and authorizing retroactive payment of Police and Sheriff overtime. All funds appropriated

below are placed on reserve pending review of actual expenditures and expenditure projections in the departments.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

061404 **[Increasing the distribution of uniform filing fees to the Law Library provided by the Business and Professions Code]** Supervisor Peskin

Resolution increasing the distribution of uniform filing fees provided by Business and Professions Code sections 6321 and 6322.1 to defray Law Library expenses.

Enacted Number: 621-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the City Operations and Neighborhood Services Committee

061235 **[Exemption from Requirement that Ambulances Carry Spare Tire and Jack]**

Resolution authorizing the San Francisco Fire Department to be exempt from California Code of Regulations Title 13, Division 2, Chapter 5, Article 1, Section 1103(e) and (f), requiring ambulances to carry spare tire and jack. (Fire Department)

Enacted Number: 620-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

061262 **[Parking Regulations - Balboa Reservoir]** Supervisor Elsbernd

Resolution enacting and rescinding parking regulations at various locations.

1-HOUR TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Ocean Avenue, north side, from Lee Avenue to Plymouth Avenue.

PARKING METER AREA 3, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Ocean Avenue, north side, from Lee Avenue to Plymouth Avenue.
Ocean Avenue, south side, from Brighton Avenue to Plymouth Avenue.

(9/11/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 619-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

061241 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Kearny Street, west side, from Broadway to 79 feet southerly.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Folsom Street, both sides, between 5th and 6th Streets; and,
South Van Ness Avenue, both sides, between Mission and Howard Streets.

NO PARKING ANYTIME - ESTABLISH
Market Street, west side, from the light pole, approximately 100 feet south of the driveway of 3550 Market Street to the driveway of 3620 Market Street (due to the absence of a sidewalk).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 138 feet to 188 feet east of 2nd Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Leavenworth Street, east side, from the south side of the driveway of 808 Leavenworth Street to 20 feet southerly (20-foot space, accommodating 4 motorcycle parking spaces).

PARKING METER AREA NO. 2 (2-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Natoma Street, south side, between 5th and Mary Streets (portion of the 400 block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Webster Street, along the terminus, south of Hermann Street (Unit Block); and, Webster Street, east side, from the terminus to 29 feet northerly (Unit Block).

NO PARKING ANYTIME - ESTABLISH
101 Lansdale Avenue, from 97 feet north of the southeast property line of 101 Lansdale Avenue to 112 feet west of the northeast property line of 101 Lansdale Avenue (along the inside of the curve adjacent to 101 Lansdale Avenue).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Pennsylvania Avenue, east side, from 23rd Street to 350 feet northerly.

PARKING METER AREA NO. 2, 7AM TO 6PM, 2-HOUR TIME LIMIT, MONDAY THROUGH SATURDAY - ESTABLISH Market Street, north side, from 12th Street to Van Ness Avenue (within the parking bay area).

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Market Street, north side, from Page Street to 12th Street.

RESIDENTIAL PERMIT PARKING AREA 'U' - RESCIND
45 Lansing Street, Lot 59 of Block 3749 on the Unit block of Lansing Street. (Parking and Traffic Department) (Parking and Traffic Department)

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

Enacted Number: 618-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ma, seconded by Supervisor Maxwell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

Supervisor Ma welcomed, introduced and presented a Certificate of Honor to Nancy Worthol.

RECESS

The Board recessed at the hour of 2:50 p.m.

Reconvening of the Board

The Board at the hour of 3:56 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 7

Supervisor Alioto-Pier was noted present at 4:10 p.m.

Supervisor McGoldrick was previously excused from today's attendance.

SPECIAL ORDER 4:00 P.M.

061292 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 3, 2006 (Case No. 2006.0787E), exempting from environmental review under Categorical Exemption, Class 1 [CEQA State Guidelines, Section 15301(b)], the proposed project at 1 La Avanzada Street (aka 250 Palo Alto Avenue). The proposal would replace four existing small receive-only antennas and add a fifth such antenna to the fifth level of Sutro Tower, and add four receive-only antennas to the roof of the existing control building. The project site is located on Mount Sutro and is zoned RH-1(D) (Residential, House - One Family, Detached) and is within a 40-X Height and Bulk District. (Appellant: Doris Linnenbach on behalf of Twin Peaks Improvement Association.)

President inquired as to whether or not any member of the public wished to address the Board members.

Walter Caplan, Representative for the appellant

Doris Linnenbach, Appellant

Robert D. Nachtigall, support of the appellant

Paul Maltzer, Planning Department Environmental Officer, review with the Board the Planning Department's recommendation

Robert McCarthy, Representative for the project sponsor

Gene Zastrow; General Manager of the Sutro Tower

Michael Degitz; Sprint/Nextel, support of the project sponsor

Debra Stein; support of the project sponsor

Marcela Medina; Univision and Telefutura; support of the project sponsor

Rebuttal Period:

Walter Caplan, Representative of the appellant

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061293 **[Affirming the categorical exemption issued for the 1 La Avanzada Street project]**

Motion affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M06-112

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 1 - McGoldrick

061294 **[Disapproving the categorical exemption issued for the 1 La Avanzada Street project]**

Motion disapproving the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval

Excused: 1 - McGoldrick

061295 [Preparation of findings related to the 1 La Avanzada Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 1 La Avanzada Street is exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M06-111

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 1 - McGoldrick

COMMITTEE REPORTS

061419 [Resolution of Intention to form the Fisherman's Wharf Portside Community Benefit District] Supervisor Peskin

Resolution (1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district (community benefit district) to be known as the "Fisherman's Wharf Portside Community Benefit District" and levy a multi-year assessment on identified businesses in the district, (2) approving the management district plan for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing as required by law.

Enacted Number: 586-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

061420 [Assessment Ballot for City Parcel] Supervisor Daly

Resolution authorizing the Mayor to cast an assessment ballot in the affirmative on behalf of the City and County of San Francisco as the owner of one parcel of real property that would be subject to assessment in the proposed property and business improvement district to be named the Central Market Community Benefit District.

Enacted Number: 607-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

Supervisors Daly and Sandoval were noted absent at 2:25 p.m.

Supervisor Daly was noted present at 2:30 p.m.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdallah Megahed; expressed concern with issues relating to homelessness

Eulla Walters; expressed concern with the renaming of Ferry Park to Sue Bierman Park

Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights

James Chaffee; expressed concern with issues relating to SF Public Library

Robin Few; showed interest with issues relating to sex workers

Walter; shared with the Board various memorabilia

Slyvia Johnson; expressed concern with issues relating to general issues

Don Price; expressed concern with issues relating to street violence

FOR ADOPTION WITHOUT COMMITTEE

REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061441 **[Urging BART Board of Directors to reconsider decision to allow alcohol advertising]** **Supervisors Ammiano, Maxwell, Dufty, Daly**

Resolution urging the BART Board of Directors to reconsider its recent decision to permit alcohol advertising in BART stations and trains.

Enacted Number: 610-06

ADOPTED

061443 **[Supporting Proposition 86, the Tobacco Tax Act]** **Supervisor Ma**

Resolution supporting Proposition 86, the Tobacco Tax Act.

Enacted Number: 613-06

ADOPTED

061445 **[Commending California State Senate Assistant President Pro Tempore Jackie Speier]** **Supervisors Sandoval, Ma**

Resolution commending California State Senator Jackie Speier for nearly three decades of legislative service.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 612-06

ADOPTED

061446 **[Proclaiming October 24, 2006 as Stoney, A Clown Who Rabble Rouses in Defense Of Free Speech, Day]** **Supervisor Sandoval**

Resolution proclaiming October 24, 2006 as Stoney Day.

Enacted Number: 609-06

ADOPTED

061444 **[Waiver permitting City Employees to Assist the Department of Elections with the November 7, 2006 election]** **Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter section

13.104.5, to permit City employees to assist the Department of Elections with the November 7, 2006 election.

Enacted Number: M06-110
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

Severed From Without Reference to Committee Agenda

Supervisor Dufty requested that this matter be severed so that it might be considered separately

061442 **[Continuing the Ongoing work of the Utility Undergrounding Task Force until January 31, 2007]** Supervisor Dufty

Resolution continuing the ongoing work of the Utility Undergrounding Task Force to advise the City and County of San Francisco on the future of the utility undergrounding process in San Francisco and to complete its work by October 31, 2006.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED. The motion carried by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine

Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

061462 **[Commending Respiratory Care Workers for their Contributions to the Medical Community and Recognizing Respiratory Care Week 2006]** **Supervisor Dufty**

Resolution commending Respiratory Care Workers for their Contributions to the Medical Community and Recognizing Respiratory Care Week 2006.

Enacted Number: 617-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

061464 **[Supporting Proposition 87 and declaring October 24, 2006 Oil Addiction Awareness Day]** **Supervisors Peskin, Mirkarimi**

Resolution supporting Proposition 87 and declaring October 24, 2006 Oil Addiction Awareness Day.

Enacted 611-06

Number:
ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

061463 [Commending Victoria Manalo Draves] Supervisor Daly
Resolution commending Olympic medalist Victoria Manalo Draves for her outstanding athletic achievements and contributions to the South of Market community as a role model, and declaring October 27, 2006 as Victoria Manalo Draves Day in the City and County of San Francisco.

Enacted Number: 616-06
ADOPTED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

061260 [Replacement of a general grocery store with the same use is not formula retail] Supervisor Elsbernd
Ordinance amending Planning Code Section 703.3 so that the formula retail requirements are not triggered when a general grocery store replaces a general grocery store, regardless of whether the former use is currently operating; and making environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

11/3/2006 - Economic Impact
9/22/06, REFERRED TO DEPARTMENT. Referred to Planning Commission and Small Business Commission.
10/4/06, RESPONSE RECEIVED. Exempt from CEQA Guidelines, non-physical exemption.
10/24/06, SUBSTITUTED. Supervisor Elsbernd submitted a substitute ordinance bearing new title.
10/24/06, RESPONSE RECEIVED. The Commission supports legislation.
10/24/06, REFERRED TO DEPARTMENT. Referred substitute legislation to

Planning Commission electronically.

10/24/06, ASSIGNED to Land Use and Economic Development Committee.
10/31/06 - Pending Further Review from Office of Economic Analysis

061261 **[Zoning - Conditional use for change in use or demolition of a general grocery store]** **Supervisor Elsbernd**

Ordinance amending the Planning Code to add Section 218.2 and to amend Sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a general grocery store; amending Planning Code Section 790.102 to define general grocery store; amending Planning Code Section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a general grocery store; making the legislation apply to permits filed on or after September 12, 2006; and making environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

9/12/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/12/2006.

9/22/06, REFERRED TO DEPARTMENT. Referred to Planning and Small Business Commissions.

10/4/06, RESPONSE RECEIVED. Exempt from CEQA, Non-physical exemption.

10/24/06, SUBSTITUTED. Supervisor Elsbernd submitted a substitute ordinance bearing new title.

10/24/06, REFERRED TO DEPARTMENT. Referred substitute legislation to Planning Commission electronically.

10/24/06, RESPONSE RECEIVED. The Commission supports legislation.

10/24/06, ASSIGNED to Land Use and Economic Development Committee.

060897 **[Housing Bond Approval Policy]** **Supervisors Maxwell, Peskin**

Ordinance amending the San Francisco Administrative Code by adding Chapter 43.9, Sections 43.9.1 through 43.9.5, to adopt findings and a City policy requiring housing project sponsors to comply with certain City contracting programs and other conditions in connection with the issuance of revenue bonds by joint exercise of powers authorities to finance private affordable housing projects within the City.

6/20/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/20/2006.

10/24/06, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/24/06, ASSIGNED to Budget and Finance Committee.

061465 **[MOU, Amendment No. 2 - San Francisco Police Officers' Association (SFPOA)]** **Mayor, Supervisors Dufty, Elsbernd**

Ordinance adopting and implementing amendments to the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by (a) establishing retention pay of an additional four percent (4%) for officers who have completed thirty (30) or more years of service, effective June 30, 2007; (b) providing $1,000 referral bonuses for officers who refer successful

candidates for police officer positions; (c) providing lateral signing bonuses of $5,000 for police officers hired from other police agencies; (d) allocating $250,000 annually to a joint labor-management recruitment committee; (e) eliminating the practice of allowing retiring officers to use accrued leave during their final 90 days of employment; and providing for incorporation of these provisions in the MOU to succeed the 2003-2007 MOU with expiration upon the conclusion of such successor MOU unless renewal is agreed.

(Fiscal impact.)

10/24/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

061468 **[Prevailing wage and displaced worker requirements for City contracts for hauling of solid waste generated by City operations]** Supervisors Ma, Peskin, Daly

Ordinance adding Section 21.25-5 to the Administrative Code, requiring payment of wages at prevailing rates to workers engaged in the hauling of solid waste, generated by the City in the course of City operations, pursuant to a contract with the City; establishing a process for the Board of Supervisors to set prevailing wage rates; establishing rules and a process for enforcement of prevailing wage rate requirements; requiring retention of workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City, upon transition to a new contractor; and establishing rules and a process for enforcement of worker retention requirements.

10/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests that this item be scheduled at the next Budget and Finance committee meeting. 10/31/06 - Referred to the Small Busines Commission for comment.

Resolutions

061393 **[Resolution to establish the Central Market Community Benefit District]** Supervisor Daly

Resolution establishing a property-based business improvement district to be known as the "Central Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings.

10/24/06, ASSIGNED to Board of Supervisors. 9/16/06 and 9/23/06 - Public hearing ad was published 9/28/06 - Notice of Reciept of Petition for Property and Business Improvement in three lanugauages was sent.

061467 **[Grant to facilitate a community-based transportation plan for Treasure Island]** Supervisor Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $98,000 from the California Department of Transportation for a community-based transportation plan to foster neighborhood and project design that enables more walking and biking for a healthier Treasure Island.

10/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood

Services Committee.

061469 [Accept-Expend Federal Grant - Spousal Abuser Prosecution Program] Supervisor Ma

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $95,030 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program" for fiscal year 2006/2007.

10/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061471 [Accept-Expend State Grant - Life and Annuity Consumer Protection Program] Supervisor Elsbernd

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $50,000 through the California Department of Insurance for a program entitled "Life and Annuity Consumer Protection" for fiscal year July 2006 through June 2007.

10/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061472 [Recognizing the Vietnamese Heritage and Freedom Flag] Supervisor Ma

Resolution recognizing the Vietnamese Heritage and Freedom Flag as the symbol of the Vietnamese American community.

10/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061473 [Accept and Expend State grants - Department of Public Health] Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to retroactively accept and expend a five new grants totaling $11,122.63, four from the California Department of Food and Agriculture (CDFA) and one from the California Department of Pesticide Regulation (CDPR); for the period of July 1, 2006 through June 30, 2007.

10/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061474 [Biordi Art Imports Day] Supervisors Peskin, Elsbernd

Resolution commending Gianfranco Savio for his invaluable contributions and declaring November 15, 2006 Biordi Art Imports Day in San Francisco.

10/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

061392 [Hearing - Central Market Community Benefit

District]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Central Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings. (Clerk of the Board)

10/24/06, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on October 31, 2006 at 3:00 p.m. 9/16/06 and 9/23/06 - Public hearing ad was published 9/28/06 - Notice of Reciept of Petition for Property and Business Improvement in three lanugauages was sent.

Motions

061470 [Thirty Day Hold for Legislation Involving Planning or Land Use] Supervisor Peskin

Motion amending the Rules Order of the Board of Supervisors to add Rule 5.41 requiring that significant amendments to the Administrative Code involving land use or planning issues shall be referred to the Planning Department and prohibiting Board or Committee action on such legislation until thirty days after introduction.

10/24/06, RECEIVED AND ASSIGNED to Rules Committee.

Charter Amendment

061466 [Charter Amendment - Authorizing the Chief of Police to Suspend Police Officers for Up to 45 Days] Supervisor Elsbernd

Charter amendment (First Draft) to amend Section A8.343 to increase the number of days that the Chief of Police may suspend police officers from 10 to 45, and making other non-substantive amendments.

10/24/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/23/2006.

PROPOSED ORDINANCES

061401 [Settlement of Lawsuit - Daniel Kuhstoss]

Ordinance authorizing settlement of the lawsuit filed by Daniel Kuhstoss against the City and County of San Francisco for $465,000; the lawsuit was filed on April 18, 2005 in San Francisco Superior Court, Case No. 440-542; entitled Daniel Kuhstoss, et al., v. City and County of San Francisco, et al. (City Attorney)

10/11/06, RECEIVED AND ASSIGNED to Rules Committee.

061402 [Settlement of Lawsuit - Kevin Roy Jordan]

Ordinance authorizing settlement of the lawsuit filed by Kevin Roy Jordan

against the City and County of San Francisco for $100,000.00; the lawsuit was filed on February 21, 2003 in United States District Court, Case No. C03-1194; entitled Kevin Jordan, et al., v. City and County of San Francisco, et al. (City Attorney)

10/11/06, RECEIVED AND ASSIGNED to Rules Committee.

061403 **[Settlement of Lawsuit - Vilda and Amber Curry]**

Ordinance authorizing settlement of the lawsuit filed by Vilda Curry and Amber Curry, by and through her guardian ad litem, Vilda Curry against the City and County of San Francisco for $625,000; the lawsuit was filed on March 31, 2003 in San Francisco Superior Court, Case No. 417-407; entitled Vilda Curry, et al. v. City and County of San Francisco, et al. (City Attorney)

10/11/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

061400 **[Authorizing Tax Collector Attorney to file suit against responsible relative of recipient of services at City hospitals to recover value of services]**

Resolution authorizing Tax Collector Attorney to file suit against responsible relative to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

10/13/06, RECEIVED AND ASSIGNED to Rules Committee.

061412 **[Request authorization by the Board to adopt the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2006-07]**

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2006-07 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2006-07. (Public Health Department)

10/13/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061413 **[Settlement of Grievance - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union")]**

Resolution approving the settlement of the grievance (ERD No. 40-05-1446) filed by United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union") on behalf of Grievants against the City and County of San Francisco for $167,090.33. Other material term of said settlement is that Grievants and Union shall release all claims relating to the aforementioned grievance (ERD No. 40-05-1446). (Human Resources Department)

10/16/06, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic to report on the feasibility of installing signs that state the regulation of Tour Bus turning off their engines while parked near Alamo Square. The signs to be installed on the East and West side of Pierce between Hayes and Fell. East and West sides of Steiner Street between Hayes and Fulton. North and South sides of Hayes between Steiner and Scott.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations: Along Kezar Drive between Kennedy Drive and Lincoln Way, 1802 Laguna, and Page Street near the southeast intersection of Webster. The pothole is in the middle of a Sharrow.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti from the phone switch boxes at the following locations: Southwest corner of Fell and Divisadero and Northeast corner of Alma and Cole.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti at the following locations: Garbage cans at 489 Carl Street. Mail box at the Northeast corner of Laguna and Eddy. Bike Rack at 199 Carl and Haight Street between Masonic and Stanyan both sides of the street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following property locations: 270 Divisadero

In Memoriams

Virginia Hobbs - Supervisors Elsbernd, McGoldrick, and Peskin

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:20 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 14, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, October 31, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Daly and McGoldrick were noted absent.

There was a quorum.

Supervisor McGoldrick was noted present at 2:05 p.m.

Supervisor Daly was noted present at 2:07 p.m.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

061275 **[Appropriating $2,258,089 of General Fund Reserve for Violence Prevention in the Police Department, Adult Probation and Juvenile Probation for Fiscal Year 2006-2007.]** Mayor

Ordinance appropriating $2,258,089 of General Fund Reserve for violence prevention programs, including $1,880,548 in the Police Department for additional salaries and overtime, $268,018 in the Adult Probation Department for salaries, overtime and equipment, $49,523 in the Juvenile Probation Department for increased overtime, and $60,000 in the Sheriff's Department for overtime for Fiscal Year 2006-2007; and authorizing retroactive payment of Police and Sheriff overtime. All funds appropriated below are placed on reserve pending review of actual expenditures and expenditure projections in the departments.

Enacted Number: 273-06

FINALLY PASSED

Recommendations of the Rules Committee

061359 [Settlement of Lawsuit - CCSF v. William D. Spencer, F. W. Spencer & Son, Inc., et. al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against William D. Spencer, F.W. Spencer & Son, Inc., Brisbane Mechanical Company, Bruce Bonar, Lou Thomas, William McGahan (together, the "Spencer Parties"), A. Answer, Inc. and Troy's Contracting, Inc. on January 16, 2004 in San Francisco Superior Court, Case No. CGC -04-429249, entitled, City and County of San Francisco et. al. v. F. W. Spencer & Son, Inc. et. al., with (a) the Spencer Parties paying $2,000,000 by January 24, 2007, and dismissing its actions and cross-actions against the City and others and the Spencer Parties releasing all claims on the Moscone Center Expansion Project and The San Francisco Jail Replacement No. 3 Project ; and (b) A. Answer, Inc. and Troy's Contracting, Inc. paying $124,000 within 60 days of final approval of this settlement. The Spencer Parties' action was brought against San Francisco, City Attorney Dennis Herrera and others, and was coordinated as part of the California Judicial Council Coordination Proceeding No. 4379. (City Attorney)

PASSED, ON FIRST READING

061405 [Appointment - Veterans Affairs Commission]

Resolution appointing Michael Thompson, term ending January 31, 2009, to the Veterans Affairs Commission.

Michael Thompson, succeeding himself, term expired, seat 2, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2009.

Enacted Number: 632-06

ADOPTED

061406 [Appointment - Asthma Task Force]

Resolution appointing Tiffany Sutter, term ending June 30, 2007, to the Asthma Task Force, residency requirement waived.

Tiffany Sutter, succeeding Micah McLorin, resigned, seat 13, must be a representative of lung health/asthma-specific organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2007.

Enacted Number: 633-06

ADOPTED

061407 [Appointment - Local Homeless Coordinating Board]

Resolution appointing Ginger Martin, term ending October 21, 2010, to the Local Homeless Coordinating Board.

Ginger Martin, succeeding Rev. Harry Chuck, resigned, seat 4, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a five-year term ending October 21, 2010.

Enacted Number: 634-06
ADOPTED

061410 [Appointment - Pedestrian Safety Advisory Committee]

Resolution appointing Howard Strassner, term ending March 28, 2008, to the Pedestrian Safety Advisory Committee.

Howard Strassner, succeeding himself, term expired, seat 7, must be a representative from transit or environmental organization, for the unexpired portion of a two-year term ending March 28, 2008.

Enacted Number: 635-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules Committee

061344 [Confirmation of Mayor's Appointment - Treasure Island Development Authority] Mayor

Resolution confirming the appointment of Owen Stephens to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

Enacted Number: 639-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

061345 **[Confirmation of Mayor's Reappointment - Treasure Island Development Authority]** Mayor

Resolution confirming the reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

Enacted Number: 640-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061373 **[Appropriating $10,675,589 of State and Federal revenues for various programs in the Department of Human Services for Fiscal Year 2006-2007]** Mayor, Supervisor Dufty

Ordinance authorizing the Department of Human Services to accept and expend a Federal food stamps grant in the amount of $999,993, and appropriating $10,675,589 of State and Federal revenues for CalWORKS Work Participation Program, the Family and Children's Services Child Welfare Services Program, the Food Stamps Outreach Program, the Housing and Homeless Management Information System Program, and the Workforce Development's Food Stamps Employment and Training Program in the Department of Human Services for Fiscal Year 2006-2007.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

061374 **[Public Employment - Human Services Agency]** **Mayor**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 35.8 new positions at the Human Services Agency.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

061391 **[Contract With Anticipated Expenditure in Excess of $10 Million]**

Resolution approving the Fourth Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for hauling services, resulting in total compensation to the Contractor in an amount not to exceed $10,480,000, pursuant to San Francisco Charter Section 9.118(b). (Purchaser)

Supervisor Daly was noted present at 2:07 p.m.

Enacted Number: 608-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use and Economic Development Committee

061210 **[Allowing advertising on E-Line and Third Street Light Rail Line boarding platforms]** **Supervisor Maxwell**

Ordinance amending Article 6 of the San Francisco Planning Code by amending Section 603 thereof, to permit transit shelter advertising on public transit boarding platforms in connection with the E-Line and Third Street Light Rail Line projects; and adopting findings pursuant to City Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

061167 [Authorizing the City to contribute to the payment of funeral costs of City employees who have died in the line of duty] Supervisors Peskin, Mirkarimi, Ammiano, Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 16.7, to authorize the City to contribute to the payment of funeral costs of City employees who have died in the line of duty, including payments retroactive to July 1, 2006.

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061245 [Appointment - Graffiti Advisory Board]

Resolution appointing Don Bechler, for an indefinite term, to the Graffiti Advisory Board.

Don Bechler, succeeding Machaela Hoctor, resigned, seat 10, must be an at-large member knowledgeable in graffiti issues, for an indefinite term. Supervisor Elsbernd dissented in committee.

NOT ADOPTED by the following vote:

Ayes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval
Noes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin

Supervisor Daly Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Ma, moved to excuse Supervisor Daly from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061409 [Appointment - Association of Bay Area Governments Executive Board]

Resolution appointing Supervisor Chris Daly, term ending June 30, 2007, to the Association of Bay Area Governments Executive Board.

Supervisor Chris Daly, succeeding Supervisor Fiona Ma, resigned, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2007.

Enacted 641-06

Number:
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

RECESS

The Board recessed at the hour of 2:49 p.m.

Reconvening of the Board

The Board at the hour of 3:03 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 9

Supervisor Dufty was previously excused at 2:45 p.m.

Supervisor Sandoval was noted absent at 3:03 p.m.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061392 **[Hearing - Central Market Community Benefit District]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Central Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Speakers in support of the Central Market Community Benefit District:

Sharon Slater, Greg Johnston, Bernadette Walke, Carolyn Diamond, Mike Yarney

Speakers Opposed to the Central Market Community Benefit District:

John Nulty, Michael Nulty, and April Venorosa expressed concern but not opposition. Jesse Collins, opposed

The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.

The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.

The President declared the Public Hearing closed.

Tabulation of the ballots cast began by the Department of Elections.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

Supervisor McGoldrick was noted absent at 4:04 p.m.

061393 [Resolution to establish the Central Market Community Benefit District] **Supervisor Daly**

Resolution establishing a property-based business improvement district to be known as the "Central Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings.

The Clerk of the Board announced the tabulations of the Central Market Community Benefit District:

Voting For 68.51%

Voting Against 31.49%

Enacted Number: 631-06

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Dufty

RECESS

The Board recessed at the hour of 3:17 p.m.

Reconvening of the Board

The Board at the hour of 3:32 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 9

Supervisor Dufty was previously excused at 2:45 p.m.

Supervisor Sandoval was noted absent at 3:03 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to the Principal of the Visitacion Valley Middle School.

RECESS

The Board recessed at the hour of 3:36 p.m.

Reconvening of the Board

The Board at the hour of 4:04 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly,

Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 9

Supervisor Dufty was previously excused at 2:45 p.m.

Supervisor Sandoval was noted absent at 3:03 p.m.

SPECIAL ORDER 4:00 P.M.

Supervisor McGoldrick was noted present at 4:07 p.m.

061327 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2564 Sutter Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 29, 2006 (Case No. 2005.0486E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 (Class 1)], the proposed project at 2564 Sutter Street. The proposal would alter and add to an existing 29-foot tall, one-and-a-half-story over basement single-family residence to create an approximately 40-foot tall, four-story over basement, three-unit residential building. The proposed project includes 1) raising the structure to create a basement parking garage; 2) a 2-story, stepped-back, vertical addition that would increase the height to approximately 40-feet; 3) a 3-level horizontal (to the rear) addition that would extend the existing building to within approximately 34 feet of the rear property line; and 4) interior renovations of the existing building and alterations of the facade. A new garage, stairway and front door entry, as well as the alteration/enlargement of the basement level and related windows would be visible at the front facade. The project site is within the RH-3 (Residential, House, Three-Family) zoning district and within a 40-X height and bulk district. (Appellant: Stephen M. Williams)

Continued to November 14, 2006

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be

approved.)

061328 [Affirming the categorical exemption issued for the 2564 Sutter Street project]

Motion affirming the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to November 14, 2006

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

061329 [Disapproving the categorical exemption issued for the 2564 Sutter Street project]

Motion disapproving the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to November 14, 2006

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

061330 [Preparation of findings related to the 2564 Sutter Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2564 Sutter Street is exempt from environmental review under the California Environmental Quality Act.

Continued to November 14, 2006

CONTINUED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

COMMITTEE REPORTS

060396 [Slavery Era Disclosure] Supervisors Maxwell,

Mirkarimi, Ammiano, Dufty, Daly, Alioto-Pier, McGoldrick, Ma, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 12W, Sections 12W.1 through 12W.7, to require contractors providing insurance and insurance services, financial services, or textiles to the City to disclose any participation in the slave trade, and creating an account, to which contractors subject to this ordinance, and others, may make voluntary contributions, and requiring that monies donated to this account be used to fund economic development and educational initiatives designed to ameliorate the effects of slavery upon the residents of San Francisco.

Supervisors Dufty, Daly, Alioto-Pier, McGoldrick, Ma, and Sandoval requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues related to a candidate for Supervisor

Mike Petrais; showed interest with issues related to the Department of Public Health Commission meetings

Eugene Gordon, Jr.; expressed concern with issues related to the violations of human rights

Male speaker; expressed apologies to the Members of the Board of Supervisors

Eulla Walters; expressed concern with the renaming of Ferry Park to Sue Bierman Park

John Di Donna; expressed concern with issues related to high rise development in San Francisco

James Chaffee; expressed concern with issues related to the San Francisco Public Library

John Hamlin; showed interest with issues related to the City College mural and suggested to landmark the mural

Walter; shared with the Board various memorabilia

Robin Crop; expressed concern with issues related to Lyme disease

Melissa Thomas; expressed concern with issues related to the war against drugs and evictions

Tom McDonagh; showed interest in the building of homes in San Francisco

Supervisor Dufty Excused

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved Supervisor Dufty Excused President announced he had excused Supervisor Dufty from the remainder of the meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061471 **[Accept-Expend State Grant - Life and Annuity Consumer Protection Program]** **Supervisor Elsbernd**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $50,000 through the California Department of Insurance for a program entitled "Life and Annuity Consumer Protection" for fiscal year July 2006 through June 2007.

Enacted Number: 636-06

ADOPTED

061473 [Accept and Expend State grants - Department of Public Health] Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to retroactively accept and expend a five new grants totaling $11,122.63, four from the California Department of Food and Agriculture (CDFA) and one from the California Department of Pesticide Regulation (CDPR); for the period of July 1, 2006 through June 30, 2007.

Enacted Number: 637-06

ADOPTED

061474 [Biordi Art Imports Day] Supervisors Peskin, Elsbernd

Resolution commending Gianfranco Savio for his invaluable contributions and declaring November 15, 2006 Biordi Art Imports Day in San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 638-06

ADOPTED

061481 [Final Map 4018 - 2889 24th Street]

Motion approving Final Map 4018, a 10 Unit Mixed - Use Condominium Project, located at 2889 24th Street being a subdivision of Lot 36 in Assessors Block No. 4268 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Enacted Number: M06-113

APPROVED

061482 [Final Map - 600 Portola Drive]

Motion approving Final Map 2274, a 18 Unit Mixed-Use Condominium Project, located at 600 Portola Drive Street being a subdivision of Lot 1 in Assessors Block No. 2892 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Enacted Number: M06-114

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Severed from the Without Reference to Committee Agenda

Supervisor Ma requested that this matter be severed so that it might be considered separately.

061472 **[Recognizing the Vietnamese Heritage and Freedom Flag]** **Supervisors Ma, Daly**

Resolution recognizing the Vietnamese Heritage and Freedom Flag as the symbol of the Vietnamese American community.

Amended on page 1 by deleting lines 16 - 20.

Supervisor Ma, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Resolution recognizing the Vietnamese Heritage and Freedom Flag as a symbol of the Vietnamese American community.

Supervisor Daly requested to be added as a co-sponsor.

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

061494 **[Appropriating $75,000 of General Fund Reserve to support Working Families Credit Program Outreach in the Human Services Agency for** **Supervisor Daly**

Fiscal Year 2006-2007]

Ordinance appropriating $75,000 of General Fund Reserve to support outreach for the Working Families Credit Program in the Human Services Agency for Fiscal Year 2006-2007.

10/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061496 **[Appropriating $78,344 of General Fund Reserve to support two Election Outreach Workers in the Department of Elections for Fiscal Year 2006-2007]** Supervisor Sandoval

Ordinance appropriating $78,344 of General Fund Reserve to support two Election Outreach Workers to support voter outreach and education, and Chinese and Spanish language assistance, as required by the Voting Rights Act in the Department of Elections for Fiscal Year 2006-2007.

10/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061497 **[Public Employment - Department of Elections]** Supervisor Sandoval

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9770, Community Development Assistant, and a 9772, Community Development Specialist in the Department of Elections, REG.

10/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060944 **[Food Service Waste Reduction Ordinance]** Supervisors Peskin, Daly, Mirkarimi, Ammiano, McGoldrick, Sandoval, Maxwell, Dufty

Ordinance amending the San Francisco Environment Code by adding Chapter 16, Sections 1601 through 1611, to: (1) prohibit the use of polystyrene foam disposable food service ware and require the use of biodegradable/compostable or recyclable disposable food service ware by restaurants, retail food vendors, City departments and the City's contractors and lessees unless there is no affordable alternative; and, (2) provide for penalties for violation; and amending the San Francisco Health Code by repealing Sections 469 through 469.10, which ban the use of food packaging and plastic food service ware made with chlorofluorocarbons.

6/27/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 7/27/2006.

7/3/06, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and recommendation.

10/31/06, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

10/31/06, ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

061491 **[Rapid Test Algorithm in Non-Traditional Test** Supervisor Dufty

Sites to Improve Linkage to Care]

Resolution authorizing the San Francisco Department of Public Health (DPH), AIDS Office - HIV Prevention Section to accept and expend retroactively a new grant in the total amount of $242,573, from the Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) in support of a program entitled Rapid Test Algorithm in Non-Traditional Test Sites to Improve Linkage to Care, for the period of September 30, 2006 through September 29, 2007.

10/31/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests that the item be scheduled for November 6, 2006 committee meeting.

061492 [Accept U.S. EPA Grant Funds] Supervisor Ammiano

Resolution authorizing the San Francisco Public Utilities Commission to accept a grant in the amount of $477,900 from the U.S. Environmental Protection Agency through the Department of the Interior, Environment, and Related Agencies Appropriation Act of 2006.

10/31/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061493 [Interim Zoning Requiring Conditional Use Authorization for Change in Use or Reduction of 15,000 square feet or more of Recreational Space] Supervisors Ma, Daly

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any recreational space of 5,000 square feet or more including indoor or outdoor facilities, for an eighteen (18) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

10/31/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061495 [Accept-Expend Grant - Juvenile Probation Department] Supervisor Maxwell

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $600,000 from the Zellerbach Family Foundation for supplemental support of organizational change activities within the Juvenile Probation Department.

10/31/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061498 [Endorsement of Development Plan and Term Sheet for the Redevelopment of Naval Station Treasure Island] Mayor

Resolution endorsing the Development Plan and Term Sheet for the Redevelopment of Former Naval Station Treasure Island between Treasure Island Community Development, LLC and the Treasure Island Development Authority.

(Fiscal Impact.)

10/31/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061499 **[Lease of Real Property at 1 Newhall Street]** Supervisor Ammiano

Resolution authorizing a new lease of 33,000 sq. ft. of industrial space at 1 Newhall Street for the Department of Public Health.

(Fiscal Impact.)

10/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061500 **[Accept-Expend State Grant - Department of the Environment]** Supervisor Maxwell

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of $129,600 from the California Department of Transportation to conduct an inventory of diesel emissions sources and develop a long-term plan to reduce diesel air pollution in the Bayview Hunters Point community of San Francisco.

10/31/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061501 **[Ji Han Jae Day]** Supervisor Ma

Resolution declaring November 11, 2006 as "Ji Han Jae Day" in the City and County of San Francisco.

10/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061502 **[Declaring November 2006 Lung Cancer Awareness Month]** Supervisors Maxwell, Dufty

Resolution declaring November 2006 Lung Cancer Awareness Month and urges public officials and the citizens of San Francisco to observe the month with appropriate activities and programs during this month and throughout the year.

10/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061503 **[Commending Food Security Task Force]** Supervisor Maxwell

Resolution commending Food Security Task Force for their dedication and commitment to improving the quality of food programs in City and County of San Francisco.

10/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061504 **[Commending The Lower Haight Street Merchants Association and Block Party Organizers for the First Annual Lower Haight Block Party]** Supervisors Mirkarimi, Dufty

Resolution commending the The Lower Haight Street Merchants Association and Block Party Organizers for founding the First Annual Lower Haight Street Block Party.

10/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061505 [Commending the organizers of the first Alamo Square Movie Night] Supervisor Mirkarimi

Resolution commending the organizers of the first Alamo Square Movie Night.

10/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061506 [Commending Fiona Ma] Supervisors Peskin, Dufty, Elsbernd

Resolution commending Fiona Ma for her distinguished service as Member of the Board of Supervisors of the City and County of San Francisco.

10/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061507 [Proclaiming November 14, 2006 as Stoney, A Clown Who Rabble Rouses in Defense of Free Speech, Day] Supervisor Sandoval

Resolution proclaiming November 14, 2006 as Stoney Day.

10/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061508 [Reappointment - Supervisor Tom Ammiano to MTC] Supervisor Peskin

Resolution reappointing Supervisor Tom Ammiano, term ending February 10, 2011, to the Metropolitan Transportation Commission.

10/31/06, RECEIVED AND ASSIGNED to Rules Committee.

061007 [Landmark Designation nomination for a 100-year-old Live Oak Tree at 4124 23rd Street] Supervisor Dufty

Resolution of intent initiating the nomination of the a 100-year-old Oak Tree, located at 4124 23rd Street for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Code Section 810(d), and authorizing other official acts in furtherance of this Resolution.

7/11/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

10/31/06, SUBSTITUTED. Supervisor Dufty submitted a substitute resolution bearing new title.

10/31/06, ASSIGNED to City Operations and Neighborhood Services Committee.

Requests for Hearing

061485 [Vacancies in budgeted positions at the MTA affecting Muni and DPT] Supervisor Dufty

Hearing on vacancies in budgeted positions at Muni and the Department of Parking and Traffic.

10/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061490 [MTA response to concerns at the Fontana Apartments (Van Ness at Northpoint)] Supervisor Alioto-Pier

Hearing on MTA response to concerns at the Fontana Apartments (Van Ness at Northpoint) including: (1) location of the bus stop in front on the Fontana driveway, (2) queuing of buses on the west side Van Ness creating a hazard for pedestrians and drivers, (3) striping of the parking places on Van Ness, (4) use of temporary police barriers to reserve a parking place for a MUNI supervisor, (5) idling of buses on the west side of Van Ness, and (6) the state of the road on Van Ness as a result of heavy use by buses. Hearing will ask MTA to provide report on what has been done to address these concerns and, if the concerns have not been addressed, explain why the concerns have not been addresses. Hearing will focus on how the MTA plans to address remaining concerns moving forward.

10/31/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061509 [Performance Measures for various City Departments] Supervisor Daly

Hearing to consider departmental performance measures for the following service areas: Human Welfare and Neighborhood Services; Community Health; Public Works, Transportation and Commerce; Public Protection; Culture and Recreation; and General Administration and Finance.

10/31/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060857 [Public Education Enrichment Fund] Supervisor Daly

Hearing to consider Public Education Enrichment Fund for fiscal year 2007-2008.

10/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCES

061451 [Settlement of Lawsuit - People v. California Pacific Medical Group]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco on behalf of the People of the State of California, against California Pacific Medical Group, Inc., dba Brown and Toland Medical Group, on April 10, 2006 in San Francisco Superior Court, Case No. CGC-06451051, entitled The People of the State of California, et al. v. California Pacific Medical Group, Inc., dba Brown and Toland Medical Group. (City Attorney)

10/19/06, RECEIVED AND ASSIGNED to Rules Committee.

061452 [Settlement of Lawsuit - CCSF, et. al. v. Landavazo Brothers, Inc., et. al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco as a qui tam plaintiff and party against (a) Landavazo Bros., Inc. and its owners and (b) George, Theodore, Derrick and John Landavazo (together, the "Landavazos") on June 14, 2001, in United States District Court For the Northern District of California, Case No. C-01-2315

MHP, entitled, City and County of San Francisco et. al. v. Landavazo Brothers, Inc., et. al., with the Landavazos paying: (a) $100,000 within 10 days of the final approval of the settlement ; (b) making sixty-five (65) monthly payments of $7,500, beginning January 5, 2007; and (c) the City paying to the San Francisco Bay Area Rapid Transit District (BART") therefrom $50,000, with $25,000 to come from the initial payment and the balance to be paid at $2,500 from the next ten (10) payments. The Landavazos are also to forego bidding on, or performing any work on San Francisco or BART projects through December 31, 2008. (City Attorney)

10/20/06, RECEIVED AND ASSIGNED to Rules Committee.

061480 [Zoning Map Amendment for 915 Cayuga Avenue]

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco in order to shift a zoning district boundary which is located entirely within Assessor's Block 6954 Lot 033 and which divides an RH-1 (Residential, House, One Family) District from an NC-3 (Neighborhood Commercial, Moderate Scale) District approximately 20 feet in a northwesterly direction to increase the portion of the lot that is zoned NC-3; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b). (Planning Department)

10/19/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. (SUPPORTING DOCUMENTS: Planning Resolution 17318; Executive Summary; Exemption from Environmental Review and rezoning map.)

PROPOSED RESOLUTIONS

061449 [Settlement of Unlitigated Claim - Fred Finch Youth Center]

Resolution approving the settlement of the unlitigated claim filed by the Fred Finch Youth Center against San Francisco for $50,000; claim was filed on October 13, 2005. (City Attorney)

10/18/06, RECEIVED AND ASSIGNED to Rules Committee.

061450 [Settlement of Unlitigated Claim - Unified Teldata]

Resolution approving the settlement of the unlitigated claim filed by Unified Teldata against San Francisco for $44,381.55; claim was filed on August 10, 2006. (City Attorney)

10/18/06, RECEIVED AND ASSIGNED to Rules Committee.

061460 [Accept-Expend State Grant - Sheriff's, Adult Probation and Juvenile Probation Departments]

Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, accept and expend $513,500 in funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to

standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs. (Sheriff)

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061461 [Prevailing wages for workers on public works/improvement projects, workers doing janitorial services, workers in public off-street parking lots, garages, or auto storage facilities, workers

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; and (5) workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

10/20/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
10/31/06 - Referred to the Small Busines Commission for review and comment.

061479 [Airport Concession Lease]

Resolution approving Amendment No. 6 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

10/17/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of trimming the trees at 303-305 Oak Street so that the right turn signs onto Octavia Boulevard are clearly visible.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from light switchboxes at the following locations: Southwest corner of Geary and Webster and the Northeast corner of Divisadero and Haight.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repainting the crosswalks located at the intersection of Fulton and Gough.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of replacing the missing street sign at the intersection of Broderick and Grove (the "Broderick" sign).

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs at the following locations: 1243 Masonic Street, 1350 Divisadero, 555 Fell, 573 Fell, 611 Fell, 660 Fell, 690 Fell, 305 Webster, across the street from 389 Webster, north side of the 300 block of Oak Street, 501 Oak, 547 Oak, 546 Grove, northeast corner of Grove and Octavia, and the "No Left Turn" sign at the southeast corner of Masonic and Fell.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the

In Memoriams

William Randolph Vierra - Supervisor Sandoval

Bao Yan Chan - Supervisor Peskin

Philip J. Lee - Entire Board

Kam Yan Li - Supervisor Mirkarimi

Song Sun Lee - Supervisor Mirkarimi

Dorothy Meyerzove - Supervisor Daly

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:09 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 5, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
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Board of Supervisors

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MEETING MINUTES

Tuesday, November 7, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Tom Ammiano.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Alioto-Pier and Ammiano were noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:20 p.m.

Supervisor Ammiano Excused From Attendance

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve the October 3, 2006 and October 17, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

COMMUNICATIONS

Gloria L. Young, Clerk of the Board, informed the Board that the Clerk of the Board's Office was in receipt of a communication from the Mayor vetoing File No. 060700 legislation which mandates specific deployment of police officers.

The matter will be on the November 14, 2006 Board agenda for consideration.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061373 **[Appropriating $10,675,589 of State and Federal revenues for various programs in the Department of Human Services for Fiscal Year 2006-2007]** Mayor, Supervisor Dufty

Ordinance authorizing the Department of Human Services to accept and expend a Federal food stamps grant in the amount of $999,993, and appropriating $10,675,589 of State and Federal revenues for CalWORKS Work Participation Program, the Family and Children's Services Child Welfare Services Program, the Food Stamps Outreach Program, the Housing and Homeless Management Information System Program, and the Workforce Development's Food Stamps Employment and Training Program in the Department of Human Services for Fiscal Year 2006-2007.

(Fiscal impact.)

Enacted Number: 279-06
FINALLY PASSED

061374 **[Public Employment - Human Services Agency]** Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 35.8 new positions at the Human Services Agency.

(Fiscal impact.)

Enacted Number: 280-06
FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

061210 [Allowing advertising on E-Line and Third Street Light Rail Line boarding platforms] Supervisor Maxwell

Ordinance amending Article 6 of the San Francisco Planning Code by amending Section 603 thereof, to permit transit shelter advertising on public transit boarding platforms in connection with the E-Line and Third Street Light Rail Line projects; and adopting findings pursuant to City Planning Code Section 101.1.

Enacted Number: 278-06

FINALLY PASSED

Recommendations of the Rules Committee

060396 [Slavery Era Disclosure] Supervisors Maxwell, Mirkarimi, Ammiano, Dufty, Daly, Alioto-Pier, McGoldrick, Ma, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 12W, Sections 12W.1 through 12W.7, to require contractors providing insurance and insurance services, financial services, or textiles to the City to disclose any participation in the slave trade, and creating an account, to which contractors subject to this ordinance, and others, may make voluntary contributions, and requiring that monies donated to this account be used to fund economic development and educational initiatives designed to ameliorate the effects of slavery upon the residents of San Francisco.

Enacted Number: 275-06

FINALLY PASSED

061167 [Authorizing the City to contribute to the payment of funeral costs of City employees who have died in the line of duty] Supervisors Peskin, Mirkarimi, Ammiano, Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 16.7, to authorize the City to contribute to the payment of funeral costs of City employees who have died in the line of duty, including payments retroactive to July 1, 2006.

Enacted Number: 276-06

FINALLY PASSED

061359 [Settlement of Lawsuit - CCSF v. William D. Spencer, F. W. Spencer & Son, Inc., et. al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against William D. Spencer, F.W. Spencer & Son, Inc., Brisbane Mechanical Company, Bruce Bonar, Lou Thomas, William McGahan (together, the "Spencer Parties"), A. Answer, Inc. and Troy's Contracting, Inc. on January 16, 2004 in San Francisco Superior Court, Case No. CGC -04-429249, entitled, City and County of San Francisco et. al. v. F. W. Spencer & Son, Inc. et. al., with (a) the Spencer Parties paying $2,000,000 by January 24, 2007, and dismissing its actions and cross-actions against the City and others and the Spencer Parties releasing all claims on the Moscone Center Expansion Project and The San Francisco Jail Replacement No. 3 Project ; and (b) A. Answer, Inc. and Troy's Contracting, Inc. paying $124,000 within 60 days of final approval of this settlement. The Spencer Parties' action was brought against San Francisco, City Attorney Dennis Herrera and others, and was coordinated as part of the California Judicial Council Coordination Proceeding No. 4379. (City Attorney)

Enacted Number: 277-06

FINALLY PASSED

061401 [Settlement of Lawsuit - Daniel Kuhstoss]

Ordinance authorizing settlement of the lawsuit filed by Daniel Kuhstoss against the City and County of San Francisco for $465,000; the lawsuit was filed on April 18, 2005 in San Francisco Superior Court, Case No. 440-542; entitled Daniel Kuhstoss, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061402 [Settlement of Lawsuit - Kevin Roy Jordan]

Ordinance authorizing settlement of the lawsuit filed by Kevin Roy Jordan against the City and County of San Francisco for $100,000.00; the lawsuit was filed on February 21, 2003 in United States District Court, Case No. C03-1194; entitled Kevin Jordan, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061403 [Settlement of Lawsuit - Vilda and Amber Curry]

Ordinance authorizing settlement of the lawsuit filed by Vilda Curry and Amber Curry, by and through her guardian ad litem, Vilda Curry against the City and County of San Francisco for $625,000; the lawsuit was filed on March 31, 2003 in San Francisco Superior Court, Case No. 417-407; entitled Vilda Curry, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061413 [Settlement of Grievance - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union")]

Resolution approving the settlement of the grievance (ERD No. 40-05-1446) filed by United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union") on behalf of Grievants against the City and County of San Francisco for $167,090.33. Other material term of said settlement is that Grievants and Union shall release all claims relating to the aforementioned grievance (ERD No. 40-05-1446). (Human Resources Department)

Enacted Number: 655-06

ADOPTED

061408 [Appointment - Asthma Task Force]

Resolution appointing Nadia Thind, term ending June 30, 2007, to the Asthma Task Force.

Nadia Thind, succeeding Gretchen Skaggs, resigned, seat 3, must be a representative of a childcare coordinating/advocacy organization and is a voting member, for the unexpired portion of a two-year term ending June 30, 2007.

Enacted Number: 654-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Alioto-Pier

Excused: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

061483 **[Adopting findings related to affirming the categorical exemption issued for the 1 La Avanzada Street project]**

Motion adopting findings related to affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M06-115

APPROVED by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

Recommendation of the Land Use and Economic Development Committee

050176 **[Amending the Planning Code to make all massage establishments conditional uses]** Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick
Absent: 1 - Daly
Excused: 1 - Ammiano

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061370 [Contract Amendment - CCSF and CBS Outdoor] Supervisor Maxwell

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to permit the contractor to advertise on the Third Street light rail vehicle platforms in exchange for maintenance of those platforms; to add shelters to the E-Line boarding islands; and retroactively consenting to the voluntary assignment of the Agreement from Outdoor Systems to Infinity Outdoor, and from Infinity Outdoor to Viacom Outdoor (now known as CBS Outdoor).

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

061510 [Contract Amendment - CCSF and CBS Outdoor]

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to extend the agreement six months.

(Supervisor Daly dissenting in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Ma, Maxwell, McGoldrick, Peskin
Noes: 4 - Daly, Elsbernd, Mirkarimi, Sandoval
Excused: 1 - Ammiano

061428 [Appropriating $1,250,941 of Federal, State and General Fund Reserve to support overtime costs in the Sheriff's Department for Fiscal Year 2006-2007] Mayor, Supervisors Daly, Dufty, Mirkarimi

Ordinance appropriating $433,881 Federal revenue, $181,609 State revenue and $635,451 General Fund reserve to retroactively support overtime costs related to the staffing of one additional inmate Pod at the San Bruno Jail and increased boarding of prisoners in the Sheriff's Department for Fiscal Year 2006-2007, and placing $667,530 on Financial Committee reserve pending review of actual overtime expenditures.

(Fiscal impact.)

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 1 - Peskin
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

061475 **[Contract with anticipated expenditure in excess of $10 million]**

Resolution approving the Fifth Amendment to the agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for hauling services, resulting in total compensation to the contractor in an amount not to exceed $10,650,000, pursuant to San Francisco Charter Section 9.118(b).

Enacted Number: 649-06

ADOPTED by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

060484 **[Authorizing the Department of Telecommunications and Information Services to amend its contract with Motorola, Inc. to exceed $20 million and extend the time for an additional ten years]** Supervisor Elsbernd

Resolution authorizing the Department of Telecommunications and Information Services to enter into the Sixth Amendment between the City and Motorola, Inc., to increase the authorization for the contract's anticipated expenditures to $20 million, and extend the time of the contract.

(Fiscal impact.)

Enacted Number: 653-06

ADOPTED by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

Supervisor Alioto-Pier was noted present at 2:20 p.m.

Recommendations of the Land Use and Economic Development Committee

061376 [Rent Ordinance: applies to units where a tenant's occupancy predates federal low income housing tax credits] Supervisors Peskin, Maxwell, McGoldrick, Mirkarimi

Ordinance amending Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37, "Rent Ordinance") by amending the Section 37.2(r)(4) definition of "rental units" covered by the ordinance to include units in buildings for which tax credits are reserved or obtained pursuant to the federal low income housing tax credit program (LIHTC, Section 42 Internal Revenue Code, 26 U.S.C. Section 42), where: a tenant's occupancy pre-dates recordation of the LIHTC regulatory agreement; and, the rent is not otherwise controlled or regulated by any use restrictions imposed by the San Francisco Redevelopment Agency, the State of California Office of Housing and Community Development, the United States Department of Housing and Urban Development or the City. This change will encompass rental units where the qualifying tenant is in possession of the unit on or after the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 1 - Ammiano

061238 [Zoning Map Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sheet 1 of the Zoning Map of the City and County of San Francisco to change the use district designation of Assessor's Block 0312, Lot 003 from C-3-R 3 (Downtown Retail) to C-3-O (Downtown Office), and amending Sheet 1H of the Zoning Map to change the height and bulk district classification of Assessor's Block 0312, Lot 003 from 80-130-F to 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

061237 [General Plan Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny Supervisor Daly

and Geary Streets, Block 0312, Lot 003]

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the land use designation of Assessor's Block 0312, Lot 003 from Downtown Retail to Downtown Office and the height and bulk district classification from 80-130-F to a 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the Priority Policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendations of the Rules Committee

061456 **[Confirmation - San Francisco Redevelopment Agency]**

Resolution confirming the reappointment of Leroy King by the Mayor, term ending September 3, 2010, to the San Francisco Redevelopment Agency.

Enacted Number: 646-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor McGoldrick Excused From Voting

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to excuse Supervisor McGoldrick from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, McGoldrick

061458 **[Appointment - California State Association of Counties]**

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2007, to the California State Association of Counties Board of Directors.

Enacted Number: 644-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell,

Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, McGoldrick

061459 [Appointment - California State Association of Counties]

Resolution appointing Supervisor Chris Daly, term ending November 28, 2007, as an alternate member to the California State Association of Counties Board of Directors.

Enacted Number: 645-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 3:00 P.M.

061417 [Hearing -Tentative Parcel Map, 455 Buena Vista East]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 3, 2006, approving a proposed Tentative Parcel Map to create a 2-Lot Subdivision project located at 455 Buena Vista Avenue, Lot 270 in Assessor's Block 2607. (Appellant: Peter Yedidia).

(Filed October 13, 2006; companion measure to Files 061487, 061488, 061489; District 8.)

Continued to December 12, 2006.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

061487 [Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 455 Buena Vista East]

Motion approving decision of the Director of Public Works and approving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to December 12, 2006.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

061488 [Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 455 Buena Vista East]

Motion disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to December 12, 2006.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

061489 [Preparation of findings related to the Tentative Parcel Map appeal for 455 Buena Vista East]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to December 12, 2006.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to the Food Security Task Force.

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to Joyce Lazer in recognition of Lung Cancer Awareness Month.

COMMITTEE REPORTS

061213 [Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets] Supervisor Daly

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1.

NOT PASSED ON FIRST READING by the following vote:

Ayes: 5 - Daly, Dufty, Elsbernd, Ma, Mirkarimi
Noes: 5 - Alioto-Pier, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ammiano

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter

jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Supervisor Daly and Dufty were noted absent at 2:35 p.m.

Supervisor Dufty was noted present at 2:41 p.m.

Abdullah Megaheed; expressed concern with issues relating to the homeless

Leonard Walsh; expressed concern with issues relating to surveilliance cameras and conduct of residents

Mike Petrias; showed interest in issues relating to the Health Commission meetings

Male speaker; expressed concern with general issues

Kathern Perry; expressed concern with issues relating to discrimination and the use of the City Hall pressroom

Ace Washington; expressed concern with issues relating to discrimination and the use of the City Hall pressroom

Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights

Sylvia Johnson; expressed concern with general issues

Maxine Dugan; expressed concern with issues relating to the protection of sex workers

Peter Warfield; expressed concern with issues relating to the SF Public Library

Female speaker; expressed concern with issues relating to the protection of sex workers

Eulla Waters; expressed concern with naming of Ferry Park to Sue Bierman Park

Rich; expressed appreciation for San Francisco

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061378 [Committee of the Whole on December 5, 2006, at 3:00 pm on adopting a Resolution to acquire property by Eminent Domain - Islais Creek MUNI Maintenance Facility] Supervisor Maxwell

Motion directing the Board of Supervisors to hold a public hearing on December 5, 2006, at 3:00 p.m., with the Board sitting as a committee of the whole, to consider adopting a Resolution of Necessity for the City's proposed acquisition by eminent domain of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility.

Enacted Number: M06-116
APPROVED

061501 [Ji Han Jae Day] Supervisor Ma

Resolution declaring November 11, 2006 as "Ji Han Jae Day" in the City and County of San Francisco.

Enacted Number: 648-06
ADOPTED

061502 [Declaring November 2006 Lung Cancer Awareness Month] Supervisors Maxwell, Dufty

Resolution declaring November 2006 Lung Cancer Awareness Month and urges public officials and the citizens of San Francisco to observe the month with appropriate activities and programs during this month and throughout the year.

Enacted Number: 647-06
ADOPTED

061503 [Commending Food Security Task Force] Supervisor Maxwell

Resolution commending Food Security Task Force for their dedication and commitment to improving the quality of food programs in City and County of

San Francisco.

Enacted Number: 652-06
ADOPTED

061504 **[Commending The Lower Haight Street Merchants Association and Block Party Organizers for the First Annual Lower Haight Block Party]** Supervisors Mirkarimi, Dufty

Resolution commending the The Lower Haight Street Merchants Association and Block Party Organizers for founding the First Annual Lower Haight Street Block Party.

Enacted Number: 651-06
ADOPTED

061505 **[Commending the organizers of the first Alamo Square Movie Night]** Supervisor Mirkarimi

Resolution commending the organizers of the first Alamo Square Movie Night.

Enacted Number: 650-06
ADOPTED

061506 **[Commending Fiona Ma]** Supervisors Peskin, Dufty, Elsbernd

Resolution commending Fiona Ma for her distinguished service as Member of the Board of Supervisors of the City and County of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 606-06
ADOPTED

061507 **[Proclaiming November 14, 2006 as Stoney, A Clown Who Rabble Rouses in Defense of Free Speech, Day]** Supervisor Sandoval

Resolution proclaiming November 14, 2006 as Stoney Day.

Enacted Number: 643-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

061526 [Setting a May 1 cutoff for the annual renewal of taxi driver permits] **Supervisor Elsbernd**

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 76.5, to set a May 1 cutoff for the annual renewal of taxi driver permits.

11/7/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/6/2006. 11/13/06 - Referred to the Taxicab Commission for review and comment.

061527 [Synchronizing the cycle for the Controller's biennial review of taxi fares and the gate cap with the City's budget cycle] **Supervisor Elsbernd**

Ordinance amending the San Francisco Police Code by amending Section 1137, to synchronize the cycle for the Controller's biennial review of taxi fares and the gate cap with the City's budget cycle.

11/7/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/6/2006. 11/13/06 - Referred to the Taxicab Commission for review and comment.

061529 [Residential Inclusionary Affordable Housing Requirements] **Supervisor McGoldrick**

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the

fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; and making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program.

11/14/06 -Economic Impact

11/7/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2006. Sponsor requests for Committee hearing on the above matter.

061531 **[Appropriating $162,000,000 of Certificates of Participation revenue to purchase and make improvements to three buildings for the City Administrator's Office for Fiscal Year 2006-2007]** Mayor, Supervisor Peskin

Ordinance appropriating $162,000,000 of Certificates of Participation (COPs) revenue to purchase two buildings, including $96,355,000 for 1 South Van Ness and $51,160,000 for 1650 Mission, $6,130,000 for improvements to 30 Van Ness, and $8,355,000 for contingency changes in market conditions for the Office of City Administrator for Fiscal Year 2006-2007. Additionally, authorizing the advance of $2,721,727 from the Reserve for Rainy Day - One-Time Account to the City Administrator for improvements to these buildings in advance of the COPs sale, which shall be reimbursed upon receipt of the COPs proceeds.

(Fiscal Impact.)

11/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061533 **[Sale of Vacant City Property on Alemany Boulevard near Ocean Avenue]** Supervisor Sandoval

Ordinance ordering the sale of City-owned property located on Alemany Boulevard, between Ocean Avenue and Onondaga Avenue, commonly known as Assessor's Block Number 6954, Lot 11C; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings that Administrative Code Chapter 23A does not apply to such sale; and authorizing other actions in furtherance of this ordinance.

11/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061534 **[Appropriating $850,000 for Geneva Avenue Car Barn Repairs and Alemany Boulevard Greening Projects in Recreation and Park and Public Works for Fiscal Year 2006-2007]** Supervisor Sandoval

Ordinance appropriating $850,000 from the Sale of Surplus Property to support $550,000 for repairs to the Geneva Avenue Car Barn in the Department of Recreation and Park and $300,000 for Alemany Boulevard greening projects in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal Impact.)

11/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061535 [Planning Code - Adjustment to fee programs] Supervisor Peskin

Ordinance amending San Francisco Planning Code Sections 351 and 355 to adjust fees for Planning Department services; and making environmental findings.

11/7/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/6/2006.

061536 [Extending the Tourist Hotel Conversion Ordinance for an additional 6 months] Supervisor Peskin

Ordinance amending Administrative Code Section 41F.5 to extend the moratorium on conversion of tourist hotel rooms to condominiums for an additional 6 months and making environmental findings.

11/14/06 - Economic Impact

11/7/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061537 [Repeal of Planning Commission alternative review process] Supervisor Peskin

Ordinance amending Planning Code Section 306 and Administrative Code Sections 2A.53 and 31.04 to repeal provisions that are void by their own terms and concern an alternative review process if the Planning Commission were unable to meet because a majority of its members has not been nominated, approved, and sworn in to office.

11/7/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061538 [Exemption of housing for victims of domestic violence from compliance with the Uniform Visitor Policy for Residential Hotels] Supervisor Peskin

Ordinance amending Section 41D.1 those of the San Francisco Administrative Code to exempt from the requirements of Chapter 41D residential hotels that are operated by non-profit agencies to provide housing and supportive services to victims of domestic violence.

11/7/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061539 [Planning Code Enforcement Penalties, Fees, and Costs] Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 176 to provide for penalties for violation of the Planning Code of not less than $200 per day, to specify that the City Attorney may seek attorneys' fees and costs for all enforcement actions, and to provide that all such fees and costs collected shall be deposited in the Planning Code Enforcement Fund; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/7/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2006.

061540 [Designating a sole source design engineer for the Opera House chiller replacement project] Supervisor Peskin

Ordinance authorizing the Director of Public Works to enter into a sole source agreement with SJ Engineers for professional design services relating to the Opera House chiller replacement project.

11/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051844 [Planning Code-General Advertising Signs Enforcement Provisions] Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 610 regarding the enforcement provisions for general advertising sign violations, by, among other things, deeming violations of this section a public nuisance, defining "Responsible Party", amending the penalty accrual, amount and collection provisions, requiring building permits for compliance work, providing for reconsideration hearings before an administrative law judge, and establishing a hearing fee; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/8/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/8/2005.

11/16/05, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

12/1/05, RESPONSE RECEIVED. Exempt from CEQA, Non-physical exemption CEQA guidelines & 15060(c)(2).

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

2/16/06, RESPONSE RECEIVED. Planning Commission Resolution 17183, recommend approval with certain amendments; Executive Summary.

11/7/06, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

11/7/06, ASSIGNED to Land Use and Economic Development Committee.

041000 [Cost recovery fees for area plans, rezonings and programmatic environmental reviews] Supervisor McGoldrick

Ordinance amending the San Francisco Planning Code by adding Section 358 to impose a fee surcharge on projects in certain areas to recover the City's actual costs in developing an area plan, specific plan, or rezoning study or preparing a programmatic environmental document for that area; amending the San Francisco Administrative Code by adding Section 10.100-370 to establish a special fund to receive the cost recovery fees and other moneys and to fund the development of future area plans, rezoning studies and programmatic environmental documents; and adopting Section 302 and environmental findings.

(Planning Department Resolution No. 16822, approved June 24, 2004, adopting legislation). 11/14/06 - Pending further review

7/13/04, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 8/12/2004. Statutory Exemption under CEQA Guidelines Section 15273 issued on June 17, 2004 in file. Planning Commission recommendation in file.

1/31/05, TRANSFERRED to Budget and Finance Committee. New committee structure effective 2/7/05.

12/30/05, FILED PURSUANT TO RULE 5.37.

11/7/06, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Sandoval requested this matter be reactivated.

11/7/06, ASSIGNED to Budget and Finance Committee.

Resolutions

061528 **[Accept-Expend Federal Grant - Disability and Healthcare Insurance Fraud Program]** Supervisor Elsbernd

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $100,000 through the California Department of Insurance for a program entitled "Disability and Healthcare Insurance Fraud Program" for fiscal year 2006/2007.

11/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061530 **[Landmark Designation nomination for tree located at 733 27th Avenue]** Supervisor McGoldrick

Resolution of intent initiating the nomination of the Holly Tree (Ilex Aquifolium) located at 733 27th Avenue (Assessor's Block 1617, Lot 003) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

11/6/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061532 **[Certificates of Participation relating to One South Van Ness Avenue, 1650 Mission Street and 30 Van Ness Avenue; and Authorization to Remove 1650 Mission Street Due Diligence Contingences]** Supervisors Peskin, Elsbernd

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition and improvement of One South Van Ness Avenue and 1650 Mission Street and the improvement of 30 Van Ness Avenue; approving the form of a trust agreement between the City and County of San Francisco (the "City") and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to certain City-owned property; approving the form of a project lease between a trustee and the City (including certain indemnities contained therein); approving the form of an official notice of sale and notice of intention to sell relating to the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; authorizing the reimbursement of certain expenditures; approving the removal of the due diligence contingencies relating to the purchase of 1650 Mission Street and a

City assumption of the Spectrum Federal Credit Union lease at 1650 Mission Street; adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

11/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061541 **[Supporting the development and provision of flexible work-life practices and policies for individuals employed by the City of San Francisco]** Supervisor Alioto-Pier

Resolution supporting work-life practices and policies for employees of the City of San Francisco.

11/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061542 **[Authorizing the Executive Director/CEO of the Municipal Transportation Agency or his or her designee and the Director of Public Works or his or her designee to request Cooperative Work** Supervisor Peskin

Resolution authorizing the Executive Director/CEO of the Municipal Transportation Agency or her or her designee and the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal and State transportation grants expiring on June 30, 2007.

11/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061543 **[Recognizing the detrimental impact of mobbing on creating a safe and productive workplace for all employees]** Supervisor Sandoval

Resolution requesting the Department of Human Resources to recognize the detrimental impact of mobbing on creating a safe and productive workplace for all employees.

11/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061544 **[Hepatitis B Screening Goal]** Supervisor Ma

Resolution establishing the goal of universal Hepatitis B screening and vaccination for Asian and Pacific Islander residents of San Francisco.

11/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

061523 **[Thimerosal Free Flu Vaccines]** Supervisor Alioto-Pier

Hearing to discuss the impact on San Francisco's health system. Does the Department of Public Health have enough Thimerosal Free vaccine? Do

private local hospitals have enough vaccine? If not, why? How will hospitals and clinics deal with the shortage?

11/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061524 **[Municipal Asphalt Plant Study]** **Supervisor Peskin**

Hearing on the Municipal Asphalt Plant Study that was submitted to the Board of Supervisors in October 2006 by the Department of Public Works.

11/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061525 **[Excelsior Playground Lights]** **Supervisor Sandoval**

Hearing with the Recreation and Park Department to report on the status of the project to install lights at the Excelsior Playground.

11/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED RESOLUTIONS

061484 **[Settlement of Unlitigated Claim - Fremont Investment Advisor, Inc.]**

Resolution approving the settlement of the unlitigated Claim No. 06-02119 filed by Fremont Investment Advisor, Inc. for Payroll Tax Refund against the City and County of San Francisco for $33,041.34.

10/24/06, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following locations: Parking Signs- Northeast corner of Scott and Eddy, Southeast corner of Golden Gate and Scott, 1271 McAllister St., 875 McAllister St., 743 McAllister St., 756 McAllister St. (black frame). Stop Sign - Corner near 2101 Sutter St.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of trimming the trees at 1398 Haight Street and 1157 Masonic. The trees are rubbing against the buildings.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from light switchboxes at the following locations: Southwest corner of Divisadero and Turk, Northwest corner of Divisadero and Haight, Northwest corner of Laguna and Sutter, and Northeast corner of Post and Steiner.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the possibility of installing a four way stop at the intersection of 11th Avenue and Lawton Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repairing the parking signs located near 1700 O'Farrell Street.

From: Supervisor Mirkarimi

To: Director, Public Utilities Commission

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Public Utilities Commission and the

In Memoriams

Dr. Robert Suczek - Supervisor Peskin

Dr. Mahendra Dave - Supervisor Sandoval

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:03 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 12, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
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MEETING MINUTES

Tuesday, November 14, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Ammiano was noted absent.

There was a quorum.

Supervisor Ammiano was noted present at 2:11 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved to approve the October 24, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

061135 [Liquor Licenses, 1415 Green Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1701 Greenwich Street to 1415 Green Street and the issuance of a Type 42 on-sale beer and wine public premises license at the same location to Ceri Lyn Smith for Biondivino will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted 656-06

Number:
ADOPTED

061265 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice] Mayor, Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $175,000 from the Department of Justice (DOJ), Office of Justice Programs (OJP), FY2006 Weed and Seed Program for the purpose of supporting activities to prevent, control and reduce violent crime, drug abuse, and gang activity in the designated Weed and Seed area in the Visitacion Valley neighborhood.

Enacted 660-06
Number:
ADOPTED

061362 [STOP Intersections] Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
22nd Avenue and Moraga Street, stopping 22nd Avenue, making this intersection an All-Way STOP;
Peru Avenue and Athens Street, stopping eastbound Peru Avenue, the stem of this T-intersection;
Circular Avenue and Havelock Street, stopping southbound Circular Avenue (legislates existing conditions);
Dorantes Avenue at Magellan Avenue, stopping Dorantes Avenue, making this T-intersection an All-Way STOP; and,
Brighton Avenue at Lakeview Avenue, stopping southbound Brighton Avenue, the stem of this T-intersection. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

Supervisor Elsbernd request to be added as sponsor.

Enacted 663-06
Number:
ADOPTED

061363 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT - ESTABLISH
Columbus Avenue, west side, from Broadway to 60 feet northerly.

ONE WAY STREET - RESCIND
Beale Street, between Bryant and Folsom Streets.

BIKE LANE (SOUTHBOUND) - ESTABLISH
Beale Street, west side, between Bryant and Folsom Streets. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

Enacted Number: 664-06
ADOPTED

061412 [Request authorization by the Board to adopt the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2006-07]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2006-07 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2006-07. (Public Health Department)

Enacted Number: 665-06
ADOPTED

061434 [Accept and Expend CALFED Water Use Efficiency Grant Funds] Supervisor Ma

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a CALFED Water Use Efficiency Grant in the amount of $299,390 through the United States Department of the Interior, Bureau of Reclamation.

Enacted Number: 666-06
ADOPTED

061454 [Parking Regulations]

Resolution enacting parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Gilbert Street, both sides, between Brannan Street to southern terminus (unit block, excludes Lot #18 and 32, block 3784).

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9)

changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

Enacted Number: 667-06
ADOPTED

061460 **[Accept-Expend State Grant - Sheriff's, Adult Probation and Juvenile Probation Departments]**

Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, accept and expend $513,500 in funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs. (Sheriff)

Enacted Number: 668-06
ADOPTED

061467 **[Grant to facilitate a community-based transportation plan for Treasure Island]** Supervisor Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $98,000 from the California Department of Transportation for a community-based transportation plan to foster neighborhood and project design that enables more walking and biking for a healthier Treasure Island.

Enacted Number: 669-06
ADOPTED

061491 **[Rapid Test Algorithm in Non-Traditional Test Sites to Improve Linkage to Care]** Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), AIDS Office - HIV Prevention Section to accept and expend retroactively a new grant in the total amount of $242,573, from the Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) in support of a program entitled Rapid Test Algorithm in Non-Traditional Test Sites to Improve Linkage to Care, for the period of September 30, 2006 through September 29, 2007.

Enacted Number: 670-06
ADOPTED

Recommendations of the Land Use and Economic Development Committee

061238 [Zoning Map Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sheet 1 of the Zoning Map of the City and County of San Francisco to change the use district designation of Assessor's Block 0312, Lot 003 from C-3-R 3 (Downtown Retail) to C-3-O (Downtown Office), and amending Sheet 1H of the Zoning Map to change the height and bulk district classification of Assessor's Block 0312, Lot 003 from 80-130-F to 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

Enacted Number: 287-06

FINALLY PASSED

061237 [General Plan Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003] Supervisor Daly

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the land use designation of Assessor's Block 0312, Lot 003 from Downtown Retail to Downtown Office and the height and bulk district classification from 80-130-F to a 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the Priority Policies of Planning Code Section 101.1. (Planning Department)

Enacted Number: 286-06

FINALLY PASSED

Recommendations of the Rules Committee

061401 [Settlement of Lawsuit - Daniel Kuhstoss]

Ordinance authorizing settlement of the lawsuit filed by Daniel Kuhstoss against the City and County of San Francisco for $465,000; the lawsuit was filed on April 18, 2005 in San Francisco Superior Court, Case No. 440-542; entitled Daniel Kuhstoss, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 285-06
FINALLY PASSED

061402 [Settlement of Lawsuit - Kevin Roy Jordan]
Ordinance authorizing settlement of the lawsuit filed by Kevin Roy Jordan against the City and County of San Francisco for $100,000.00; the lawsuit was filed on February 21, 2003 in United States District Court, Case No. C03-1194; entitled Kevin Jordan, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 284-06
FINALLY PASSED

061403 [Settlement of Lawsuit - Vilda and Amber Curry]
Ordinance authorizing settlement of the lawsuit filed by Vilda Curry and Amber Curry, by and through her guardian ad litem, Vilda Curry against the City and County of San Francisco for $625,000; the lawsuit was filed on March 31, 2003 in San Francisco Superior Court, Case No. 417-407; entitled Vilda Curry, et al. v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 283-06
FINALLY PASSED

061451 [Settlement of Lawsuit - People v. California Pacific Medical Group]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco on behalf of the People of the State of California, against California Pacific Medical Group, Inc., dba Brown and Toland Medical Group, on April 10, 2006 in San Francisco Superior Court, Case No. CGC-06451051, entitled The People of the State of California, et al. v. California Pacific Medical Group, Inc., dba Brown and Toland Medical Group. (City Attorney)

PASSED, ON FIRST READING

061452 [Settlement of Lawsuit - CCSF, et. al. v. Landavazo Brothers, Inc., et. al.]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco as a qui tam plaintiff and party against (a) Landavazo Bros., Inc. and its owners and (b) George, Theodore, Derrick and John Landavazo (together, the "Landavazos") on June 14, 2001, in United States District Court For the Northern District of California, Case No. C-01-2315 MHP, entitled, City and County of San Francisco et. al. v. Landavazo Brothers,

Inc., et. al., with the Landavazos paying: (a) $100,000 within 10 days of the final approval of the settlement ; (b) making sixty-five (65) monthly payments of $7,500, beginning January 5, 2007; and (c) the City paying to the San Francisco Bay Area Rapid Transit District (BART") therefrom $50,000, with $25,000 to come from the initial payment and the balance to be paid at $2,500 from the next ten (10) payments. The Landavazos are also to forego bidding on, or performing any work on San Francisco or BART projects through December 31, 2008. (City Attorney)

PASSED, ON FIRST READING

061449 **[Settlement of Unlitigated Claim - Fred Finch Youth Center]**

Resolution approving the settlement of the unlitigated claim filed by the Fred Finch Youth Center against San Francisco for $50,000; claim was filed on October 13, 2005. (City Attorney)

Enacted Number: 671-06

ADOPTED

061450 **[Settlement of Unlitigated Claim - Unified Teldata]**

Resolution approving the settlement of the unlitigated claim filed by Unified Teldata against San Francisco for $44,381.55; claim was filed on August 10, 2006. (City Attorney)

Enacted Number: 658-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Consent Agenda

Supervisor Ma requested that this matter be severed so that it might be considered separately.

Supervisor Ma Excused From Voting

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to excuse

Supervisor Ma at her request, because of possible conflict of interest, from voting.. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ma

061358 **[Liquor License Transfer, 46 Geary Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 975 Bryant Street to 46 Geary Street to Eric Chung for Lounge 46 will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 661-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ma

Supervisor Daly requested that this matter be severed so that it might be considered separately.

061361 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
990 Greenwich Street, from 7.4 feet to 16 feet east of Jones Street, accommodating two motorcycle parking spaces.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
22nd Street, both sides, between Bryant and Florida Streets.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
20th Avenue, both sides, between Eucalyptus Drive and Ocean Avenue (3000 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Cesar Chavez Street, both sides, between Noe and Sanchez Streets (4000 block).

NO PARKING ANYTIME - ESTABLISH
Shotwell Street, west side, from Cesar Chavez Street to 102 feet south of 26th Street.

NO PARKING (RED ZONES) ANYTME - ESTABLISH

Broadway, south side, from Columbus Avenue to 65 feet easterly (6-foot extension of sidewalk;
Broadway, north side, 57 feet west of Kearny Street (6-foot extension of the sidewalk); and,
Broadway, south side, 52 feet west of Kearny Street (6-foot extension of the sidewalk)

TOW AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Columbus Avenue, west side, from Broadway to 60 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Waller Street, north side, from the driveway of 530 Waller Street to the driveway of 532 Waller Street (18-foot space, accommodating 5 unmetered motorcycle parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
16th Street, north side, from Bryant Street to 80 feet easterly (80-foot zone to create a right-turn only pocket).

TOW-AWAY, NO PARKING, 3:30 TO 7:00 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Beale Street, west side, from Bryant Street to 50 feet northerly (50 foot zone).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Beale Street, west side, from 50 feet to 230 feet north of Bryant Street (180 foot zone).

PERPENDICULAR PARKING - RESCIND
Beale Street, east side, from 300 feet to 353 feet south of Folsom Street and from 620 feet to 764 feet south of Folsom Street; and,
Beale Street, west side, from Bryant Street to 630 feet northerly (north end of Harrison Overpass).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Pierce Street, west side, between Jackson Street and Pacific Avenue (legislates existing conditions).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY RESCIND
California Street, north side, from Kearny Street to Mason Street.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
California Street, both sides, between Powell and Mason Streets. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

Supervisor Daly requested that the question regarding parking regulations

relating to Harrison Street be divided. (See File 061580)

DIVIDED.

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be ADOPTED AS DIVIDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061580 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING AND TRANSIT LANE ONLY, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Harrison Street, north side, from the Embarcardero to First Street

RESIDENTIAL PERMIT PARKING AREA "Y" (2 HOUR PARKING TIME LIMIT, 9 AM TO 10 PM, EVERYDAY) - ESTABLISH
Harrison Street, south side, between Fremont and Spear Streets (currently unregulated);
Spear Street, west side, from Harrison Street to 140 feet southerly (currently
unregulated);
Main Street, both sides, between Harrison and Bryant Streets (currently unregulated);
Beale Street, both sides, between Bryant and Harrison Streets (replaces existing
signed time limits); and,
Beale Street, west side, between Harrison and Folsom Streets (replaces existing
signed time limits).

PARKING METER AREA 1 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Harrison Street, north side, between Beale and Spear Streets (currently unregulated);
Spear Street, east side, from Harrison Street to 140 feet southerly (currently unregulated);
Harrison Street, south side, between The Embarcadero and Spear Streets (replaces signed time limit);
Beale Street, east side, between Folsom and Harrison Streets (currently unregulated)
Townsend Street, both sides, between 2nd Street and Colin P. Kelly Jr. Street (replaces 2 -hour signed time limit);
Brannan Street, both sides, between 2nd Street and Colin P. Kelly Jr. Street (replaces 2 -hour signed time limit); and,
2nd Street, west side, between King and Townsend Streets (currently unregulated)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not

establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

Vetoed by the Mayor

060700 [Police Foot Patrols] Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern and Bayview Police District Stations, and require reporting and review on the effectiveness of the foot patrols. NOTE: This action requires a two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to te veto override. The Board of Supervisors must act on the veto override within 30 days of the date of teh veto. The Mayor vetoed the Ordinance on November 3, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before December 3, 2006.)

Motion to override the Mayor's veto passed by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Alioto-Pier, Elsbernd

Recommendations of the Budget and Finance Committee

061370 [Contract Amendment - CCSF and CBS Outdoor] Supervisor Maxwell

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to permit the contractor to advertise on the Third Street light rail vehicle platforms in exchange for maintenance of those platforms; to add shelters to the E-Line boarding islands; and retroactively consenting to the voluntary assignment of the Agreement from Outdoor Systems to Infinity Outdoor, and from Infinity Outdoor to Viacom Outdoor (now known as CBS Outdoor).

Enacted Number: 282-06

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061510 [Contract Amendment - CCSF and CBS Outdoor]

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to extend the agreement six months.

(Supervisor Daly dissenting in committee.)

Enacted Number: 288-06

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

061428 [Appropriating $1,250,941 of Federal, State and General Fund Reserve to support overtime costs in the Sheriff's Department for Fiscal Year 2006-2007] Mayor, Supervisors Daly, Dufty, Mirkarimi

Ordinance appropriating $433,881 Federal revenue, $181,609 State revenue and $635,451 General Fund reserve to retroactively support overtime costs related to the staffing of one additional inmate Pod at the San Bruno Jail and increased boarding of prisoners in the Sheriff's Department for Fiscal Year 2006-2007, and placing $667,530 on Financial Committee reserve pending review of actual overtime expenditures.

(Fiscal impact.)

Enacted Number: 290-06

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

Recommendations of the Land Use and Economic Development Committee

050176 [Amending the Planning Code to make all massage establishments conditional uses] — Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 289-06

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick

061376 [Rent Ordinance: applies to units where a tenant's occupancy predates federal low income housing tax credits] — Supervisors Peskin, Maxwell, McGoldrick, Mirkarimi

Ordinance amending Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37, "Rent Ordinance") by amending the Section 37.2(r)(4) definition of "rental units" covered by the ordinance to include units in buildings for which tax credits are reserved or obtained pursuant to the federal low income housing tax credit program (LIHTC, Section 42 Internal Revenue Code, 26 U.S.C. Section 42), where: a tenant's occupancy pre-dates recordation of the LIHTC regulatory agreement; and, the rent is not otherwise controlled or regulated by any use restrictions imposed by the San Francisco Redevelopment Agency, the State of California Office of Housing and Community Development, the United States Department of Housing and Urban Development or the City. This change will encompass rental units where the qualifying tenant is in possession of the

unit on or after the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance.

Enacted Number: 281-06

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Ma assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

060944 [Food Service Waste Reduction Ordinance]

Supervisors Peskin, Daly, Mirkarimi, Ammiano, McGoldrick, Sandoval, Maxwell, Dufty, Ma, Alioto-Pier

Ordinance amending the San Francisco Environment Code by adding Chapter 16, Sections 1601 through 1611, to: (1) prohibit the use of polystyrene foam disposable food service ware and require the use of biodegradable/compostable or recyclable disposable food service ware by restaurants, retail food vendors, City departments and the City's contractors and lessees unless there is no affordable alternative; and, (2) provide for penalties for violation; and amending the San Francisco Health Code by repealing Sections 469 through 469.10, which ban the use of food packaging and plastic food service ware made with chlorofluorocarbons.

Supervisor Alioto-Pier requests to be added as cosponsor.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.** The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061360 **[Setting speed limit on portions of Kezar and John F. Kennedy Drives]**

Ordinance amending the Traffic Code by adding a new Section 175.07, establishing a speed limit of 30 MPH on Kezar Drive between Lincoln Way and John F. Kennedy Drive, and on John F. Kennedy Drive between Kezar Drive and Stanyan Street.

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3252.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

061375 **[Elections Code Amendments]** **Supervisor Elsbernd**

Ordinance amending Sections 120, 200, 220, 300, 340, 500, 525, 530, 535, 545, 550, 590, and 610 of, and adding Section 815 to the Municipal Elections Code to: delete out-dated provisions relating to runoff elections; ensure that candidate statements are submitted in a uniform format; require that measures submitted by the Mayor, Board of Supervisors, or four or more Supervisors are submitted 95 days prior to the election; provide that failure to include an enacting clause in an initiative petition does not invalidate the petition; require the Department of Elections mail a voter information pamphlet to each registered San Francisco voter at least 29 days before an election; adjust the deadlines for ballot arguments and for the public review period to allow sufficient time for the voter information pamphlet to be prepared and mailed 29 days prior to the election; require ballot arguments to be submitted in a uniform format; provide a 24-hour period for the Ballot Simplification Committee to receive and act on written requests for the reconsideration of a digest; and clarify that candidates must file fees when submitting a candidate statement.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061455 [Confirmation - San Francisco Redevelopment Agency]

Resolution confirming the reappointment of Benny Yee by the Mayor, term ending September 3, 2010, to the San Francisco Redevelopment Agency.

Continued to December 5, 2006

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061400 [Authorizing Tax Collector Attorney to file suit against responsible relative of recipient of services at City hospitals to recover value of services]

Resolution authorizing Tax Collector Attorney to file suit against responsible relative to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

Enacted Number: 672-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Sandoval, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano welcomed, introduced and presented a Commendation to Guillana Millense in recognition of her retirement.

Supervisor Sandoval welcomed, introduced and presented a Commendation to Stoney Burke in recognition of his 30 years of being a clown who stands up for free speech.

SPECIAL ORDER 4:00 P.M.

Appointment of President Pro Tempore

At the request of the President, Supervisor Elsbernd assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

061327 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2564 Sutter Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 29, 2006 (Case No. 2005.0486E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 (Class 1)], the proposed project at 2564 Sutter Street. The proposal would alter and add to an existing 29-foot tall, one-and-a-half-story over basement single-family residence to create an approximately 40-foot tall, four-story over basement, three-unit residential building. The proposed project includes 1) raising the structure to create a basement parking garage; 2) a 2-story, stepped-back, vertical addition that would increase the height to approximately 40-feet; 3) a 3-level horizontal (to the rear) addition that would extend the existing building to within approximately 34 feet of the rear property line; and 4) interior renovations of the existing building and alterations of the facade. A new garage, stairway and front door entry, as well as the alteration/enlargement of the basement level and related windows would be visible at the front facade. The project site is within the RH-3 (Residential, House, Three-Family) zoning district and within a 40-X height and bulk district. (Appellant: Stephen M. Williams)

President inquired as to whether or not any member of the public wished to address the Board members.

Steve Williams, Attorney for the appellant

Faye Hollingsworth, support of appellant

Mary Mackey, support of appellant

William Freed, support of appellant

Courtney Clarkson, support of appellant

Ellen Dudley, support of appellant

Zac Stewart, support of appellant

Judith Moyer, support of appellant

Joe Butler, Architect, support of appellant

Kindall Goh, Bernal Heights Preservation, support of appellant

Kieran, support of appellant

Paul Maltzer, and Nannie Turrel, Representatives of the Planning Department

reviewed with the Board members the Planning Department's recommendation.

Andrew Julius, Attorney for Project Sponsor

Debra Harris, support of project sponsor

Roger, support of project sponsor

Laura McCluskey, support of project sponsor

Kevin O'Connor, support of project sponsor

Jack Kruger, support of project sponsor

Mr. McCarthy, support of project sponsor

Greg Newsom, support of project sponsor

Peter McCluskey, Project Sponsor

Architect for project sponsor

Rebuttal Period:

Steve Williams, Attorney for appellant

Joe Buttler, Architect for appellant

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

061328 **[Affirming the categorical exemption issued for the 2564 Sutter Street project]**

Motion affirming the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Sandoval

061329 **[Disapproving the categorical exemption issued for the 2564 Sutter Street project]**

Motion disapproving the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M06-117

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Sandoval

061330 **[Preparation of findings related to the 2564 Sutter Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2564 Sutter Street is exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M06-118

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Sandoval

COMMITTEE REPORTS

061205 **[Policy making marijuana offenses the lowest law enforcement priority]** Supervisors Ammiano, Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 12X to make marijuana offenses by adults the lowest law enforcement priority in San Francisco, and require notification of state and federal officials.

(Supervisor Ma dissented)

Supervisor Daly requested to be added as cosponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

061554 **[Establish Community Oversight Committee Regarding Enforcement of Marijuana Offenses]** Supervisors Ammiano, Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 12X.6 to establish a Community Oversight Committee regarding enforcement of marijuana offenses.

(Supervisor Ma dissented)

Supervisor Daly requested to be added as cosponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 2 - Dufty, Maxwell

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document

when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed appreciation for all who helped with election

James Chaffee; expressed concerns with saving the San Francisco Public Library

John Hammon; expressing concerns regarding skatebording in Golden Gate Park

Malink Mofe; expressed appreciation for the Board's support of low-income people in S. F.

Lionel Sandford, Seniors Organizing Seniors; expressing appreciation for the Board's support of seniors in S. F.

Male Speaker; expressed concern with issues relating to the Leneai Hotel

Walter, shared expressions in song

Eugene Gordon Jr.; expressed various legislative concerns

John Denado; expressed pride in democracy

Female Speaker; expressed support for the Police Chief

Jan White; expressed concerns with crime and being a victim multiple times

Sylvia Johnson; expressed concern relating to various issues in song

Maria Martinez; expressing support of the mobbing resolution

Mr. Cruz; expressing support of the mobbing resolution

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061542 **[Authorizing the Executive Director/CEO of the Municipal Transportation Agency or his or her designee and the Director of Public Works or his or her designee to request Cooperative Work** **Supervisor Peskin**

Resolution authorizing the Executive Director/CEO of the Municipal Transportation Agency or her or her designee and the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for

Federal and State transportation grants expiring on June 30, 2007.

Enacted Number: 657-06
ADOPTED

061544 [Hepatitis B Screening Goal] Supervisor Ma

Resolution establishing the goal of universal Hepatitis B screening and vaccination for Asian and Pacific Islander residents of San Francisco.

Enacted Number: 659-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Severed from Adoption Without Committee Reference

Supervisor Elsbernd requested that this matter be severed so that it mght be considered separately.

061541 [Supporting the development and provision of flexible work-life practices and policies for individuals employed by the City of San Francisco] Supervisor Alioto-Pier

Resolution supporting work-life practices and policies for employees of the City of San Francisco.

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED to the Government Audit and Oversight Committee by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Elsbernd requested that this matter be severed so that it mght be considered separately.

061543 [Recognizing the detrimental impact of mobbing on creating a safe and productive workplace for all employees] Supervisor Sandoval

Resolution requesting the Department of Human Resources to recognize the detrimental impact of mobbing on creating a safe and productive workplace for all employees.

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED to the Government Audit and Oversight Committee by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

061562 [Amending the Working Families Credit Program and the Working Families Credit Fund] Mayor

Ordinance amending the San Francisco Administrative Code by renumbering section 10.100-347 to 10.100-79 and amending Sections 12S.1 and 10.100-79 to establish that: 1) the Working Families Credit Program and the Working Families Credit Fund are administered by the Human Services Agency (HSA); 2) incentive payments may be calculated based on a flat rate; and 3) HSA may enter into agreements with private industries to provide other discounted services or products to program participants.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061563 [Condominium conversion lottery based on seniority of participation] Supervisor Dufty

Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery until 2008; adding Section 1396.3 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and to continue this lottery selection process for two years; and making environmental findings.

11/14/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/14/2016.

061566 [Limited equity accumulation for membership shares of ROOTS Program Assisted Housing Cooperatives] Supervisor Mirkarimi

Ordinance amending San Francisco Board of Supervisors Ordinance No. 71-06 appropriating $20,000,000 from the General Fund for Affordable Housing projects, including $1,000,000 to the Mayor's Office of Housing (MOH) for the Real Opportunities for Tenants (ROOTS) program, by amending the criteria for the ROOTS program to require that the Articles of Incorporation

or the Bylaws of housing cooperatives assisted by ROOTS Program funds mandate that membership shares of members who cease to be permanent residents be sold at a price equaling no greater than a transfer value and clarify that resident housing organizations that are assisted by ROOTS must be structured in the form of a cooperative; and adopting regulations governing MOH's administration of the ROOTS program.

11/14/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061569 **[Sole Source Designation of Professional Services Contracts for Health and Behavioral Health Services and Support]** Supervisor Peskin

Ordinance amending the San Francisco Administrative Code to add Section 21.42, approving the sole source designation of professional services contracts for health and behavioral services and support by the San Francisco Health Commission, where such services are provided by non-profits.

11/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061581 **[Accept-Expend Federal Pass Through Grant - Department of Emergency Management]** Mayor

Ordinance authorizing the Department of Emergency Management to accept and expend a federal pass through grant in the amount of $1,667,904 from the United States Department of Homeland Security through the Governor's Office of Homeland Security under three grant programs: the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Metropolitan Medical Response System (MMRS), and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061582 **[Grant of Federal Homeland Security Funds]** Mayor

Ordinance authorizing the Department of Emergency Management to accept and expend a grant of $22,656,000 in funds from the United States Department of Homeland Security through the California Office of Homeland Security under the Urban Area Security Initiatives Program, and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061585 **[Public Employment - Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff]**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006/2007) reflecting the extension of thirty-nine positions at the following departments: Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

061561 [Recreation and Park-Golden Gate Park AB 716 Grant Funds] Mayor

Resolution authorizing the Recreation and Park Department to re-appropriate $527,221 of Proposition 40, AB 716 Grant Program funds from the Urban Forestry Yard project to the South Murphy Windmill Project.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061564 [Support Goals for Federal Funding - Community Development Block Grant] Supervisor Maxwell

Resolution supporting Fiscal Year 2007-2008 Community Development Block Grant (CDBG) Action Plan Goals.

11/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061565 [Reducing the cost of adult MUNI Fast Passes for 18-24 year olds] Supervisor McGoldrick

Resolution urging the Municipal Transportation Agency (MTA) to reduce the cost of monthly adult MUNI fast passes for transitional aged young adults ages 18 to 24 years old.

11/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061567 [Board of Supervisors - Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the January 17, 2007, February 20, 2007, May 29, 2007, July 5, 2006, October 9, 2007, November 27, 2007, December 18, 2007, December 26, 2007 and January 2, 2008 meetings and by canceling all Board and Committee meetings from August 15 through September 4, 2007. (Clerk of the Board)

11/14/06, RECEIVED AND ASSIGNED to Rules Committee.

061568 [Ratification of prior professional service contracts for health and behavioral health services and approval of three year extensions] Supervisor Peskin

Resolution ratifying prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approving three year extensions.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061570 [Issuance and Sale of Revenue Bonds - Elder Care Alliance of San Francisco] Supervisor Dufty

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $37,000,000 to refinance a portion of the costs of acquisition, construction and equipping of an assisted living and dementia care facility.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061571 **[Condemning Human Rights Violations in the Philippines]** Supervisors Mirkarimi, Daly, Ammiano

Resolution condemning the politically-motivated killings and other human rights violations in the Philippines, extending sympathy to the families of victims and urging President Macapagal-Arroyo to reassert human rights and allow for an independent investigation into the killings.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061572 **[Commemorating National Prematurity Awareness Month]** Supervisor Mirkarimi

Resolution commemorating National Prematurity Awareness Month, acknowledging that premature birth is a serious, common and costly problem. The etiology of premature birth is unknown and can happen to any pregnant woman. We hope all of you will join us in the campaign to reduce premature birth by supporting research, educating the public and health care providers about this critical issue.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061573 **[Urging NBC-Universal to reconsider its decision to eliminate local Spanish newscasts at KSTS-48 Telemundo]** Supervisor Sandoval

Resolution urging NBC-Universal to reconsider its decision to eliminate local Spanish news newscasts at KSTS-48 Telemundo.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061574 **[Recognizing the City of Santa Ana for electing a Council reflective of its constituency's diverse ethnic majority]** Supervisor Sandoval

Resolution recognizing the City of Santa Ana for electing a Council reflective of its constituency's diverse ethnic majority.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061575 **[Supporting Saul Arellano, a 7 year-old boy whose mother has taken refuge at a church in Chicago to avoid deportation]** Supervisor Sandoval

Resolution supporting Saul Arellano, a 7 year-old boy whose mother has taken refuge at a church in Chicago to avoid deportation.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061583 **[Authorization for City to enter into Memorandum of Understanding with other Bay Area cities and counties to govern expenditure of fiscal year 2006 federal and state homeland security funds]** Mayor

Resolution authorizing City and County officials to enter into a Memorandum of Understanding that would create a Urban Area Working Group with other

Bay Area governmental entities to govern expenditure of federal and state fiscal year 2006 Urban Area Security Initiatives Program funds and that would make San Francisco the primary grantee and fiscal agent for those funds; further authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any and all documentation necessary to apply for and receive federal and state financial assistance under the Urban Area Security Initiatives Program and other federal and state homeland security programs.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061586 **[Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Emergency Services Division]** Mayor

Resolution authorizing the Department of Emergency Management, Emergency Services Division, to accept and expend a Federal pass through grant in the amount of $776,000 from the Governor's Office of Homeland Security for the Buffer Zone Protection Program.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061541 **[Supporting the development and provision of flexible work-life practices and policies for individuals employed by the City of San Francisco]** Supervisor Alioto-Pier

Resolution supporting work-life practices and policies for employees of the City of San Francisco.

11/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/14/06, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

061543 **[Recognizing the detrimental impact of mobbing on creating a safe and productive workplace for all employees]** Supervisor Sandoval

Resolution requesting the Department of Human Resources to recognize the detrimental impact of mobbing on creating a safe and productive workplace for all employees.

11/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/14/06, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

061377 **[To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]** Supervisor Maxwell

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

10/3/06, SCHEDULED FOR PUBLIC HEARING. Scheduled for November 7, 2006 at 3:00 p.m.

11/14/06, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing the same title.

11/14/06, ASSIGNED to Board of Supervisors. Scheduled for December 5, 2006 at 3:00 p.m. 11/16/06 - Notice of Public hearing sent to owner found on Assessor's Roll, CALTrans. 11/18/06 - Notice of Public hearing published in SF Chronicle.

Hearings

061560 **[Hearing to discuss clerical, analytical and budget support for the Board of Supervisors]** Supervisor Peskin

Hearing to discuss clerical, analytical and budget support for the Board of Supervisors.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061576 **[Hearing to discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."]** Supervisor Alioto-Pier

Hearing to discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."

11/14/06, ASSIGNED to Board of Supervisors. Pursuant to File 061577, Board to sit as a Committee of the Whole on December 5, 2006 at 4:00 p.m.

061578 **[Hearing on the proposed development plan at Candlestick Point]** Supervisor Peskin

Hearing to discuss the proposed development at Candlestick Point.

11/14/06, ASSIGNED to Board of Supervisors. Pursuant to File 061579 , Board to sit as a Committee of the Whole on November 21, 2006 at 2:00 p.m.

061587 **[Reserved Funds, Department of Emergency Management, Division of Emergency Services]** Mayor

Hearing to consider release of reserved funds, Department of Emergency Management, Division of Emergency Services (DEM) in the amount of $1,322,061 for the FY 2005 Homeland Security Grant funds.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

061559 **[Legislative Analyst Request]** Supervisor Elsbernd

Motion requesting the Legislative Analyst to research comparable Natural Areas Plans that have been developed and implemented in other jurisdictions. As well, please explore the availability of existing studies that provide data that may assist in determining potential costs for San Francisco's Natural Areas Program Management Plan (NAP MP).

11/14/06, ASSIGNED to Board of Supervisors. Scheduled for Board consideration November 21, 2006. Brief report, desired delivery date December 14, 2006.

061577 [Calling for the Board of Supervisors to sit as a Committee of the Whole on December 5, 2006, at 4:00 pm to consider findings of recent economic report] Supervisor Alioto-Pier

Motion calling for the Board of Supervisors to sit as a Committee of the Whole on December 5, 2006, at 4:00 pm to hear and discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061579 [Motion to Hold Public Hearing on the proposed development plan at Candlestick Point] Supervisor Peskin

Motion directing the Board of Supervisors to hold a public hearing on November 21, 2006, at 2:00 p.m., with the Board sitting as a committee of the whole, to discuss the proposed development at Candlestick Point.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

061514 [Zoning Map Amendment for 18 Arago Street]

Ordinance amending Sheet 11 of the Zoning Map of the City and County of San Francisco for property located at 18 Arago Street, Assessor's Block 3154 Lot 063, to change the use district classification from P (Public Use) to RH-1 (Residential House, One-Family); adopting findings pursuant to the California Environmental Quality Act and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

11/3/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/4/2006. (SUPPORTING DOCUMENTS: Planning Commission Resolution 17328; Executive Summary; and Determination of Exemption from Environmental Review).

061517 [Vacation and immediate quitclaim of a sewer easement and vacation and delayed quitclaim of a water line easement in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11]

Ordinance ordering the vacation of a 10-foot wide water line easement and a 20-foot wide sewer easement in former Hubbell street, within the Mission Bay South Redevelopment Project Area; authorizing an immediate quitclaim of the sewer easement and a delayed quitclaim of the water line easement of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,502 ; and authorizing other official acts in connection with this ordinance. (Public Works Department)

11/6/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061519 **[Condominium conversion lottery extension to 2008]** Supervisor McGoldrick

Ordinance amending Subdivision Code Section 1396 to extend the annual 200-unit condominium conversion lottery until 2008; repealing Section 1396.1 to delete condominium conversion lottery provisions that are void by their own terms; adding Section 1396.1 to reenact the condominium conversion lottery process from 2005 and to establish provisions concerning the standby list selection process; and making environmental findings. (Public Works Department)

11/6/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2006.

11/13/06, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

061520 **[Settlement of Lawsuit - Cynthia Fitzgerald]**

Ordinance authorizing settlement of the lawsuit filed by Cynthia Fitzgerald against the City and County of San Francisco for $140,000; the lawsuit was filed on November 8, 2004 in San Francisco Superior Court, Case No. 436-152; entitled Cynthia Fitzgerald, et al., v. City and County of San Francisco, et al. (City Attorney)

11/6/06, RECEIVED AND ASSIGNED to Rules Committee.

061521 **[Settlement of Lawsuit - Bradford Wilson]**

Ordinance authorizing settlement of the lawsuit filed by Bradford Wilson against the City and County of San Francisco for $70,000.00; the lawsuit was filed on October 27, 2005 in the San Francisco Superior Court, Case No. 446116; entitled Bradford Wilson v. City and County of San Francisco, et al. (City Attorney)

11/6/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

061515 **[Agreement with Caltrans for street construction at Fifth and King Streets intersection with State Route 280]**

Resolution approving the Cooperative Agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the new street construction for the King Street Westbound Frontage Road and ancillary improvements at Fifth and King Streets intersection with State Route 280 and authorizing official acts in furtherance thereof. (Public Works Department)

11/6/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061516 **[Vacation of sewer and water line easements in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11]**

Resolution declaring the intention of the Board of Supervisors to vacate a

10-foot wide water line easement and 20-foot wide sewer easement in former Hubbell Street within the Mission Bay South Redevelopment Project Area; setting the hearing date for all persons interested in the proposed vacation of the easements; and adopting findings that the vacation is consistent with the City's General Plan, the eight priority policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting the Department of Public Works Order No. 176,502, dated October 24, 2006; and authorizing other official acts in connection with this Resolution. (Public Works Department)

11/6/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

To: City Librarian, San Francisco Public Library

Requesting/Inquiring: Requesting the Department of Public Works and the San Francisco Library to report on the status of removing graffiti from Western Addition Branch Library.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs located at the following locations: 1730 Baker St., 265 Rivoli St., 1533 Shrader St., 1530 Shrader St., 1235 Stanyan St., 4812 - 17th St.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repairing the parking sign located at 1543 Fulton Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from garbage cans at the following location: Southwest corner of Hayes and Lyon.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the mailboxes at the following location: Northwest corner of Divisadero and Eddy.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from news stands at the following location: Southwest corner of Broderick and McAllister (Chronicle).

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the

In Memoriams

Marian Eaves Hinman, Supervisor Peskin

Assunta Femia, Supervisor Ammiano

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:24 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 12, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic

devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.
Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.
The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are

conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

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MEETING MINUTES

Tuesday, November 21, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Chris Daly.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Alioto-Pier and Daly were noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:07 p.m.

Supervisor Daly Excused From Attendance

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to excuse Supervisor Daly from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

AGENDA CHANGES

Supervisor Peskin requested that File No. 061579 (Item 31) be considered out of order.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061578 [Hearing on the proposed development plan at Candlestick Point] Supervisor Peskin

Hearing to discuss the proposed development at Candlestick Point.

The Office of Economic and Workforce Development made a lengthy presentation on the development of a new stadium and mixed-use project.

Michael Cohen, Office of Economic and Workforce Development

Kofi Bonner, President, Bay Area Division, Lennar

David Thom, IBI Group

Thomas Balsley, Tom Balsley and Associates

Moss Corbey, Corbey Engineering

Mary Smith, Walker

Dean Macris, Planning Department

Erin McGrath, Mayor's Office

Larry McNeil, Chief Financial Officer, San Francisco Forty-Niners, outlined why the new stadium plan will not work.

The President inquired as to whether any member of the public wished to address the Board members

Male Speaker, Football is sexist.

Abdullah Megaheed, we support 49ers

Dr. Ahimsa Porter Sunchai, we need a project specific EIR

Don Price, traffic impact to neighbors

Don Monahan, District Superintendent, California State Parks

Reverend Arnold Townsend, people of Bayview Hunters Point deserve 49ers

Mr. King, Bayview Hunters Point need to move forward

Ed Donaldson, Bayview Hunters Point in middle of revitalization

Shirley Moore, wants 49ers to work with the community, wants community included

Sheila Johnson, loves 49ers

Espanola Jackson, landfill

Walter Paulsen, hopes 49ers can build stadium in San Francisco

Keith Jackson, bond money from late 1990s

Male Speaker, long-range planning

Al Norman, Bayview Merchants, BVHP economic plan should continue

Linda Richardson, economic development in BVHP

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

061360 **[Setting speed limit on portions of Kezar and John F. Kennedy Drives]**

Ordinance amending the Traffic Code by adding a new Section 175.07, establishing a speed limit of 30 MPH on Kezar Drive between Lincoln Way and John F. Kennedy Drive, and on John F. Kennedy Drive between Kezar Drive and Stanyan Street.

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3252.)

Enacted Number: 294-06

FINALLY PASSED

Recommendations of the Rules Committee

061375 **[Elections Code Amendments]** **Supervisor Elsbernd**

Ordinance amending Sections 120, 200, 220, 300, 340, 500, 525, 530, 535, 545, 550, 590, and 610 of, and adding Section 815 to the Municipal Elections Code to: delete out-dated provisions relating to runoff elections; ensure that candidate statements are submitted in a uniform format; require that measures submitted by the Mayor, Board of Supervisors, or four or more

Supervisors are submitted 95 days prior to the election; provide that failure to include an enacting clause in an initiative petition does not invalidate the petition; require the Department of Elections mail a voter information pamphlet to each registered San Francisco voter at least 29 days before an election; adjust the deadlines for ballot arguments and for the public review period to allow sufficient time for the voter information pamphlet to be prepared and mailed 29 days prior to the election; require ballot arguments to be submitted in a uniform format; provide a 24-hour period for the Ballot Simplification Committee to receive and act on written requests for the reconsideration of a digest; and clarify that candidates must file fees when submitting a candidate statement.

Enacted Number: 291-06

FINALLY PASSED

061451 **[Settlement of Lawsuit - People v. California Pacific Medical Group]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco on behalf of the People of the State of California, against California Pacific Medical Group, Inc., dba Brown and Toland Medical Group, on April 10, 2006 in San Francisco Superior Court, Case No. CGC-06451051, entitled The People of the State of California, et al. v. California Pacific Medical Group, Inc., dba Brown and Toland Medical Group. (City Attorney)

Enacted Number: 292-06

FINALLY PASSED

061452 **[Settlement of Lawsuit - CCSF, et. al. v. Landavazo Brothers, Inc., et. al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco as a qui tam plaintiff and party against (a) Landavazo Bros., Inc. and its owners and (b) George, Theodore, Derrick and John Landavazo (together, the "Landavazos") on June 14, 2001, in United States District Court For the Northern District of California, Case No. C-01-2315 MHP, entitled, City and County of San Francisco et. al. v. Landavazo Brothers, Inc., et. al., with the Landavazos paying: (a) $100,000 within 10 days of the final approval of the settlement ; (b) making sixty-five (65) monthly payments of $7,500, beginning January 5, 2007; and (c) the City paying to the San Francisco Bay Area Rapid Transit District (BART") therefrom $50,000, with $25,000 to come from the initial payment and the balance to be paid at $2,500 from the next ten (10) payments. The Landavazos are also to forego bidding on, or performing any work on San Francisco or BART projects through December 31, 2008. (City Attorney)

Enacted Number: 293-06

FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

060944 [Food Service Waste Reduction Ordinance] Supervisors Peskin, Daly, Mirkarimi, Ammiano, McGoldrick, Sandoval, Maxwell, Dufty, Ma, Alioto-Pier

Ordinance amending the San Francisco Environment Code by adding Chapter 16, Sections 1601 through 1611, to: (1) prohibit the use of polystyrene foam disposable food service ware and require the use of biodegradable/compostable or recyclable disposable food service ware by restaurants, retail food vendors, City departments and the City's contractors and lessees unless there is no affordable alternative; and, (2) provide for penalties for violation; and amending the San Francisco Health Code by repealing Sections 469 through 469.10, which ban the use of food packaging and plastic food service ware made with chlorofluorocarbons.

Enacted Number: 295-06

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061205 [Policy making marijuana offenses the lowest law enforcement priority] Supervisors Ammiano, Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 12X to make marijuana offenses by adults the lowest law enforcement priority in San Francisco, and require notification of state and federal officials.

(Supervisor Ma dissented)

Enacted Number: 297-06

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Excused: 1 - Daly

061554 **[Establish Community Oversight Committee Regarding Enforcement of Marijuana Offenses]** Supervisors Ammiano, Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 12X.6 to establish a Community Oversight Committee regarding enforcement of marijuana offenses.

(Supervisor Ma dissented)

Enacted Number: 296-06

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Excused: 1 - Daly

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061074 **[Authorizing the Committee on Information Technology to amend its contract with Microgear/ESP to exceed $10 million]** Supervisor Daly

Resolution authorizing the Committee on Information Technology to retroactively enter into the Third Amendment between the City and Microgear/ESP (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's anticipated expenditures to over $10 million.

(Fiscal impact.)

Enacted Number: 673-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061075 **[Authorizing the Committee on Information Technology to amend its contract with Central Computer Systems to exceed $10 million]** Supervisor Daly

Resolution authorizing the Committee on Information Technology to retroactively enter into the Third Amendment between the City and Central Computer Systems (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's anticipated expenditures to over $10 million.

(Fiscal impact.)

Enacted Number: 674-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061351 **[Lease of Property at S.F. Marina West Harbor, near the intersection of Marina Boulevard and Fillmore Street, to the St. Francis Yacht Club]** Supervisor Alioto-Pier

Resolution authorizing and approving the execution, delivery and performance of a lease of real property at the S.F. Marina West Harbor near the intersection of Marina Boulevard and Fillmore Street (a portion of Block 0900, Lot 003) to the St. Francis Yacht Club for a term of forty (40) years plus the approximately seven (7) years remaining on the Club's existing lease; and adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1.

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to re-refer this matter to Committee.

Motion to re-refer this matter to Committee failed by the following vote:

Ayes: 4 - Ammiano, McGoldrick, Mirkarimi, Sandoval

Noes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin

Excused: 1 - Daly

Supervisor McGoldrick, seconded by Supervisor Sandoval, moved to continue this matter to December 12, 2006.

Motion to continue this matter failed by the following vote:

Ayes: - 2 - McGoldrick, Sandoval

Noes:8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin

Excused: 1 - Daly

Enacted Number: 681-06

ADOPTED by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 4 - Ammiano, McGoldrick, Mirkarimi, Sandoval
Excused: 1 - Daly

061532 **[Certificates of Participation relating to One South Van Ness Avenue, 1650 Mission Street and 30 Van Ness Avenue; and Authorization to Remove 1650 Mission Street Due Diligence Contingences]** Supervisors Peskin, Elsbernd

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition and improvement of One South Van Ness Avenue and 1650 Mission Street and the improvement of 30 Van Ness Avenue; approving the form of a trust agreement between the City and County of San Francisco (the "City") and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to certain City-owned property; approving the form of a project lease between a trustee and the City (including certain indemnities contained therein); approving the form of an official notice of sale and notice of intention to sell relating to the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; authorizing the reimbursement of certain expenditures; approving the removal of the due diligence contingencies relating to the purchase of 1650 Mission Street and a City assumption of the Spectrum Federal Credit Union lease at 1650 Mission Street; adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Enacted Number: 680-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061461 **[Prevailing wages for workers on public works/improvement projects, workers doing janitorial services, workers in public off-street parking lots, garages, or auto storage facilities, workers**

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; and (5) workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

Enacted Number: 676-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061468 **[Prevailing wage and displaced worker requirements for City contracts for hauling of solid waste generated by City operations]** **Supervisors Ma, Peskin, Daly, Dufty, Mirkarimi**

Ordinance adding Section 21.25-5 to the Administrative Code, requiring payment of wages at prevailing rates to workers engaged in the hauling of solid waste, generated by the City in the course of City operations, pursuant to a contract with the City; establishing a process for the Board of Supervisors to set prevailing wage rates; establishing rules and a process for enforcement of prevailing wage rate requirements; requiring retention of workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City, upon transition to a new contractor; and establishing rules and a process for enforcement of worker retention requirements.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the Government Audit and Oversight Committee

051465 **[Grant of Federal Funds - Municipal Transportation Agency]** **Supervisor Peskin**

Resolution authorizing the Municipal Transportation Agency to accept and expend $9,920,000 of Federal New Starts Capital Assistance for the Third Street-Phase II - New Central Subway project, excluding administrative overhead costs.

Enacted Number: 682-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061422 **[Grant of Federal Funds - Municipal Transportation Agency]** Supervisor Peskin

Resolution authorizing the Municipal Transportation Agency to accept and expend $24,502,500 of Federal Section 5309 New Starts Capital Assistance for the Third Street-Phase II - Central Subway project, excluding administrative overhead costs.

(Fiscal impact.)

Enacted Number: 679-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Recommendation of the Land Use and Economic Development Committee

061261 **[Zoning - Conditional use for change in use or demolition of a general grocery store]** Supervisor Elsbernd

Ordinance amending the Planning Code to add Section 218.2 and to amend Sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a general grocery store; amending Planning Code Section 790.102 to define general grocery store; amending Planning Code Section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a general grocery store; making the legislation apply to specified applications and permits filed on or after September 12, 2006; and making environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

SPECIAL ORDER 3:30 P.M - Recognition

of Commendations

Supervisor Peskin presented a Certificate of Commendation to Supervisor Ma.

SPECIAL ORDER 4:00 P.M.

061396 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 3300 Clay Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 26, 2006, granting a Categorical Exemption from the California Environmental Quality Act (Building Permit Application No. 2006.02.27.5519) the proposed project at 3300 Clay Street, Lot 003 in Assessor's Block 0997. The proposal to remodel the ground floor, excavate and install a six-car garage and install a new opening in the side of the building for access to the garage. (Appellant: Douglas D. Cain)

(Filed October 13, 2006; companion measure to Files 061397, 061398, 061399, District 2.)

Continued to January 9, 2007.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061397 [Affirming the categorical exemption issued for 3300 Clay Street project]

Motion affirming the determination by the Planning Department that the 3300 Clay Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to January 9, 2007.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061398 [Disapproving the categorical exemption issued for 3300 Clay Street project]

Motion disapproving the determination by the Planning Department that the 3300 Clay Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to January 9, 2007.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061399 [Preparation of findings related to the 3300 Clay Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3300 Clay Street is exempt from environmental review under the California Environmental Quality Act.

Continued to January 9, 2007.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

COMMITTEE REPORTS

061387 [Appointment, Planning Commission] Mayor

Motion approving the Mayor's appointment of Marilyn Sue Lee to the Planning Commission term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061388.) Transmittal date - October 3, 2006.

Enacted Number: M06-123

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061389 [Reappointment, Planning Commission]

Motion approving the Mayor's reappointment of William L. Lee to the Planning Commission term ending July 1, 2010. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061390.) Transmittal date - October 3, 2006.

Supervisor McGoldrick was noted absent at 6:10 p.m.

Enacted Number: M06-124

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval
Noes: 2 - Ammiano, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Daly

061453 [Police Foot Patrols] Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern, Bayview, Central and Richmond Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

NOTE: This action requires a two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the ordinance on December 15, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before January 14, 2007.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 1 - McGoldrick
Excused: 1 - Daly

061465 **[MOU, Amendment No. 2 - San Francisco Police Officers' Association (SFPOA)]** Mayor, Supervisors Dufty, Elsbernd, Alioto-Pier, Mirkarimi

Ordinance adopting and implementing amendments to the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by (a) establishing retention pay of an additional four percent (4%) for officers who have completed thirty (30) or more years of service, effective June 30, 2007; (b) providing $1,000 referral bonuses for officers who refer successful candidates for police officer positions; (c) providing lateral signing bonuses of $5,000 for police officers hired from other police agencies; (d) allocating $250,000 annually to a joint labor-management recruitment committee; (e) eliminating the practice of allowing retiring officers to use accrued leave during their final 90 days of employment; and providing for incorporation of these provisions in the MOU to succeed the 2003-2007 MOU with expiration upon the conclusion of such successor MOU unless renewal is agreed.

(Fiscal impact.)

Supervisors Alioto-Pier and Mirkarimi requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Daly

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megahed, homeless issues and keeping 49ers in San Francisco

James Chafee, family issues and library issues

John Hamlin, Special Olympics

Walter Paulsen, shared various memorabilia with Board and sang song for Supervisor Ma

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

061559 [Legislative Analyst Request] Supervisor Elsbernd

Motion requesting the Legislative Analyst to research comparable Natural Areas Plans that have been developed and implemented in other jurisdictions. As well, please explore the availability of existing studies that provide data that may assist in determining potential costs for San Francisco's Natural Areas Program Management Plan (NAP MP).

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Daly

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061577 [Calling for the Board of Supervisors to sit as a Committee of the Whole on December 5, 2006, at 4:00 pm to consider findings of recent economic report] Supervisor Alioto-Pier

Motion calling for the Board of Supervisors to sit as a Committee of the Whole on December 5, 2006, at 4:00 pm to hear and discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."

Enacted Number: M06-125
APPROVED

061570 [Issuance and Sale of Revenue Bonds - Elder Care Alliance of San Francisco] Supervisor Dufty

Resolution approving the issuance and sale of tax-exempt bonds by the

ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $37,000,000 to refinance a portion of the costs of acquisition, construction and equipping of an assisted living and dementia care facility.

Enacted Number: 677-06
ADOPTED

061572 [Commemorating National Prematurity Awareness Month] Supervisor Mirkarimi

Resolution commemorating National Prematurity Awareness Month, acknowledging that premature birth is a serious, common and costly problem. The etiology of premature birth is unknown and can happen to any pregnant woman. We hope all of you will join us in the campaign to reduce premature birth by supporting research, educating the public and health care providers about this critical issue.

Enacted Number: 678-06
ADOPTED

061573 [Urging NBC-Universal to reconsider its decision to eliminate local Spanish newscasts at KSTS-48 Telemundo] Supervisor Sandoval

Resolution urging NBC-Universal to reconsider its decision to eliminate local Spanish news newscasts at KSTS-48 Telemundo.

Enacted Number: 683-06
ADOPTED

061574 [Recognizing the City of Santa Ana for electing a Council reflective of its constituency's diverse ethnic majority] Supervisor Sandoval

Resolution recognizing the City of Santa Ana for electing a Council reflective of its constituency's diverse ethnic majority.

Enacted Number: 684-06
ADOPTED

061575 [Supporting Saul Arellano, a 7 year-old boy whose mother has taken refuge at a church in Chicago to avoid deportation] Supervisor Sandoval

Resolution supporting Saul Arellano, a 7 year-old boy whose mother has taken refuge at a church in Chicago to avoid deportation.

Enacted Number: 675-06
ADOPTED

061555 [Final Map 2808 - 19 Clementina Street]

Motion approving Final Map 2808, a 32 Unit Live Work Condominium Project, located at 19 Clementina Street being a subdivision of Lot 119 in Assessors Block No. 3736 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,428; District 6.)

Enacted Number: M06-119
APPROVED

061556 [Final Map 3686 - 2351 Powell Street]

Motion approving Final Map 3686, a 73 Unit Mixed-Use Condominium Project, located at 2351 Powell Street being a subdivision of Lot 1,3 & 4 in Assessors Block No. 0031 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,430; District 3.)

Enacted Number: M06-120
APPROVED

061557 [Final Map 3825 - 520 Chestnut Street]

Motion approving Final Map 3825, a 20 Unit Residential Condominium Project, located at 520 Chestnut Street being a subdivision of Lot 9 in Assessors Block No. 0052 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW order No. 176,422; District 3.)

Enacted Number: M06-121
APPROVED

061558 [Final Map 3283 - 1117 Ocean Avenue]

Motion approving Final Map 3283, a 12 Unit Mixed-Use Condominium Project, located at 1117 Ocean Avenue being a subdivision of Lot 45 in Assessors Block No. 6944 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,429; Distirct 11.)

Enacted Number: M06-122
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Daly

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

061579 **[Motion to Hold Public Hearing on the proposed development plan at Candlestick Point]** Supervisor Peskin

Motion directing the Board of Supervisors to hold a public hearing on November 21, 2006, at 2:00 p.m., with the Board sitting as a committee of the whole, to discuss the proposed development at Candlestick Point.

Enacted Number: M06-126
APPROVED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

061571 **[Condemning Human Rights Violations in the Philippines]** Supervisors Mirkarimi, Daly, Ammiano

Resolution condemning the politically-motivated killings and other human rights violations in the Philippines, extending sympathy to the families of victims and urging President Macapagal-Arroyo to reassert human rights and allow for an independent investigation into the killings.

Supervisor Alioto-Pier requested that this matter be referred to Committee.

REFERRED to the Rules Committee.

OFF-AGENDA LEGISLATION

Ordinances Resolutions Requests for Hearing Motions Introduced by the President at the Request of Departments

Introduced by Supervisors or Mayor

Ordinances

061595 **[Synchronizing the cycle for the Controller's biennial review of taxi fares and the gate with the City's Budget cycle]** — Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by amending Section 1137, to synchronize the cycle for the Controller's biennial review of taxi fares and the gate cap with the City's budget cycle.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
11/27/06 - Referred to the Taxi Commission for review and comment.

061596 **[Setting a May 1 cutoff for the annual renewal of taxi driver permits]** — Supervisor Elsbernd

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 76.5, to set a May 1 cutoff for the annual renewal of taxi driver permits.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
11/27/06 - Referred to the Taxi Commission for review and comment.

061605 **[Appropriating $1,277,584 of estimated direct payment revenue for the Sidewalk Inspection and Repair Program in the Department of Public Works for Fiscal Year 2006-2007]** — Mayor

Ordinance appropriating $1,277,584 from estimated revenues to fund the Sidewalk Inspection and Repair Program for the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal Impact.)

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061606 **[Sidewalk revitalization program]** — Mayor

Ordinance amending Public Works Code Section 706 to deem unsafe sidewalk conditions a public nuisance and establish a permit and inspection fee waiver for participation in the City's sidewalk revitalization program and amending section 707.1 to clarify provisions that treat the abatement costs for sidewalk remediation as a special tax assessment.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061607 **[Public Employment - Children and Families Commission, First 5 San Francisco Commission]** Supervisor Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9774, Senior Community Development Specialist I, in the Children and Families Commission, First 5 San Francisco Commission.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061609 **[Authorizing members of City boards and commissions, including the Board of Supervisors, to meet by teleconferencing when physically unable to attend in person due to the member's pregnancy,** Supervisor Alioto-Pier

Ordinance amending the San Francisco Administrative Code by adding Section 2.11, to implement Proposition B as adopted by the voters at the November 7, 2006 election and authorize members of the Board of Supervisors to participate in meetings by teleconferencing when the member is physically unable to attend in person, as certified by a health care provider, due to the member's pregnancy, childbirth, or related condition.

11/21/06, RECEIVED AND ASSIGNED to Rules Committee.

061611 **[Extending term of Back Streets Business Advisory Board]** Supervisor Maxwell

Ordinance extending for an additional nine months the term of the Back Streets Business Advisory Board.

11/21/06, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

061571 **[Condemning Human Rights Violations in the Philippines]** Supervisors Mirkarimi, Daly, Ammiano

Resolution condemning the politically-motivated killings and other human rights violations in the Philippines, extending sympathy to the families of victims and urging President Macapagal-Arroyo to reassert human rights and allow for an independent investigation into the killings.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/21/06, REFERRED to Rules Committee. Supervisor Alioto-Pier requested that this matter be referred to Committee.

061597 **[Accept and Expend State Water Resources Control Board Grant Funds]** Supervisor Elsbernd

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a State Water Resources Control Board Grant in the amount of $202,500 for the development of a Pilarcitos Creek Integrated Watershed Management Plan.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061598 [Accept-expend State Grant Funds available under the California Cultural and Historical Endowment to fund the South Murphy Windmill Restoration Project] Supervisor McGoldrick

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of $488,411 for the restoration of the South Murphy Windmill, under Proposition 40 California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California State Library, California Cultural and Historical Endowment.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061599 [Grant of Regional Funds] Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,670,340 in FY2005/06 $3,984,855 in FY2006/07, and $2,308,728 in FY2007/08 Assembly Bill 664 Bridge Toll Net Revenue Funds for various San Francisco Municipal Railway Capital Projects, excluding administrative overhead costs.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061600 [Accept-Expend U.S. Department of Justice Grant] Supervisor Maxwell

Resolution authorizing the City Attorney's Office to accept and expend a grant in the amount of $394,891 from the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) for the Foster Care Improvement Project.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061601 [Bond Sale for Seismic Safety Loan Program Bonds] Supervisor Dufty

Resolution authorizing and directing the sale of not to exceed $35,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2006A; approving the form of a credit agreement pursuant to which such bonds will be issued and sold; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the establishment of accounts related thereto; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

11/21/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

061602 [Authorizing the Office of Contract Administration to amend its contract with En Pointe to exceed $20 million]

Resolution authorizing the Office of Contract Administration to enter into the Fourth amendment between the City and En Pointe (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $20 million to $31 million.

(Fiscal Impact.)

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061603 [Authorizing the Office of Contract Administration to amend its contract with Xtech to exceed $25 million]

Resolution authorizing the Office of Contract Administration to enter into the Fifth amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $25 million to $37 million.

(Fiscal Impact.)

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061604 [Reprogram and Expend Federal Community Development Block Grant and Emergency Shelter Grant Funds] Supervisor Dufty

Resolution approving the reprogramming and expenditure of One Hundred Twenty-One Thousand Two Hundred and Fifty Dollars ($121,250.00) of Community Development Block Grant funds and Fifty Thousand Dollars ($50,000.00) of Emergency Shelter Grant funds.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061608 [Approval of Amendment to Design Agreement for the Laguna Honda Hospital Replacement Program] Supervisor Elsbernd

Authorizing the Director of Public Works to execute Amendment to a Design Agreement for the Laguna Honda Hospital Replacement Program from $33,706,892 to $39,155,175.

(Fiscal Impact.)

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061612 [Commemorating the 8th Annual Transgender Day of Remembrance] Supervisors McGoldrick, Dufty

Resolution Commemorating the 8th Annual Transgender Day of Remembrance and to celebrate the diversity in people's self-defined gender identities and expressions.

11/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061613 [Resolution urging the Legislature and the Senate of the State of California to work with the California Child food Program Roundtable to ensure young children in the state of California Supervisor Maxwell

Resolution urging members of the Legislature and the Senate of the State of California to work with the California Child Food Program Roundtable to identify and implement legislative strategies to ensure young children in the State of California have continued access to the Child and Adult Care Food Program.

11/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061614 [Resolution acknowledging the one hundred anniversary of the San Francisco Local of the American Postal Workers Union, AFL-CIO, and proclaiming December 5, 2006, as San Francisco Postal — Supervisor Sandoval

Resolution Proclaiming the San Francisco Local of the American Postal Workers Union, AFL-CIO, for one hundred years of representing the working postal men and women of San Francisco.

11/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

061610 [Hearing on Report from Planning Department Developing Criteria for Mills Act Contract Eligibility] — Supervisor Alioto-Pier

Hearing on Report from Planning Department Developing Criteria for Mills Act Contract Eligibility.

11/21/06, RECEIVED AND ASSIGNED to Rules Committee.

Motions

061615 [Extending the Select Committee on Ending Gun and Gang Violence] — Supervisor Maxwell

Motion extending the Select Committee on Ending Gun and Gang Violence.

11/21/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

061545 [Settlement of Lawsuit - Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. CCSF, et al.]

Ordinance approving settlement of litigation brought by Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust to quiet title as to the City and County of San Francisco in certain utility easements, in the action entitled Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. City and County of San Francisco, et al. (San Francisco Superior Court No. CGC-05-440100, filed April 5, 2005), for a total value of $136,000.00. (Real Estate Department)

11/8/06, RECEIVED AND ASSIGNED to Rules Committee.

061546 [Summary Vacation of Sewer, Water and Utility Easements Within Assessor's Block 2864, Lot

001 and Sale to Owner of Assessor's Block 2864, Lot 001 Upon Conditions]

Ordinance ordering the summary vacation of six recorded sewer, water and utility easements located within Assessor's Block 2864, Lot 001, on land commonly known as 300 Laguna Honda Boulevard, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Section 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale by quitclaim are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the City's interest in the vacated easements to the fee owners of Assessor's Block 2864, Lot 001, upon satisfaction of conditions set forth in companion Ordinance No. _____ on file with the Clerk of the Board of Supervisors in File No. _____; and ratifying and authorizing actions in furtherance of the ordinance. (Real Estate Department)

11/8/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

061547 [Amendment to Contract with Geomatrix Consultants, Inc.]

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute an amendment to the contract with Geomatrix Consultants, Inc. to extend the term retroactively through June 30, 2007, to modify the scope of services, and to increase the contract by an amount not to exceed $180,000 for a new total amount not to exceed $1,097,000 for environmental consulting services.

11/13/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061548 [Third Amendment to John Stewart Company Sublease of Housing Units on Treasure Island]

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a third amendment to the sublease with the John Stewart Company to extend the term.

11/13/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061549 [Fourth Amendment to John Stewart Company Sublease of Housing Units on Treasure Island]

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a fourth amendment to the sublease with the John Stewart Company to increase utility rates.

11/13/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:35 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 9, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
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MEETING MINUTES

Tuesday, December 5, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Bevan Dufty.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Dufty was noted absent.

There was a quorum.

Supervisor Dufty was excused from attending today's meeting.

Supervisor Dufty Excused from Attendance

Supervisor Maxwell, seconded by Supervisor Sandoval, moved to excuse Supervisor Dufty from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Jew, moved to approve October 31, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

061468 **[Prevailing wage and displaced worker requirements for City contracts for hauling of solid waste generated by City operations]** — **Supervisors Ma, Peskin, Daly, Dufty, Mirkarimi**

Ordinance adding Section 21.25-5 to the Administrative Code, requiring payment of wages at prevailing rates to workers engaged in the hauling of solid waste, generated by the City in the course of City operations, pursuant to a contract with the City; establishing a process for the Board of Supervisors to set prevailing wage rates; establishing rules and a process for enforcement of prevailing wage rate requirements; requiring retention of workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City, upon transition to a new contractor; and establishing rules and a process for enforcement of worker retention requirements.

Enacted Number: 299-06
FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

061465 [MOU, Amendment No. 2 - San Francisco Police Officers' Association (SFPOA)] Mayor, Supervisors Dufty, Elsbernd, Alioto-Pier, Mirkarimi

Ordinance adopting and implementing amendments to the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by (a) establishing retention pay of an additional four percent (4%) for officers who have completed thirty (30) or more years of service, effective June 30, 2007; (b) providing $1,000 referral bonuses for officers who refer successful candidates for police officer positions; (c) providing lateral signing bonuses of $5,000 for police officers hired from other police agencies; (d) allocating $250,000 annually to a joint labor-management recruitment committee; (e) eliminating the practice of allowing retiring officers to use accrued leave during their final 90 days of employment; and providing for incorporation of these provisions in the MOU to succeed the 2003-2007 MOU with expiration upon the conclusion of such successor MOU unless renewal is agreed.

(Fiscal impact.)

Enacted Number: 300-06
FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

061261 [Zoning - Conditional use for change in use or demolition of a general grocery store] Supervisor Elsbernd

Ordinance amending the Planning Code to add Section 218.2 and to amend Sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a general grocery store; amending Planning Code Section 790.102 to define general grocery store; amending Planning Code Section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a general grocery store; making the legislation apply to specified applications and permits filed on or after September 12, 2006; and making environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

Enacted Number: 298-06

FINALLY PASSED

Recommendations of the Rules Committee

061520 [Settlement of Lawsuit - Cynthia Fitzgerald]

Ordinance authorizing settlement of the lawsuit filed by Cynthia Fitzgerald against the City and County of San Francisco for $140,000; the lawsuit was filed on November 8, 2004 in San Francisco Superior Court, Case No. 436-152; entitled Cynthia Fitzgerald, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061521 [Settlement of Lawsuit - Bradford Wilson]

Ordinance authorizing settlement of the lawsuit filed by Bradford Wilson against the City and County of San Francisco for $70,000.00; the lawsuit was filed on October 27, 2005 in the San Francisco Superior Court, Case No. 446116; entitled Bradford Wilson v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061484 [Settlement of Unlitigated Claim - Fremont Investment Advisor, Inc.]

Resolution approving the settlement of the unlitigated Claim No. 06-02119 filed by Fremont Investment Advisor, Inc. for Payroll Tax Refund against the City and County of San Francisco for $33,041.34.

Enacted Number: 691-06

ADOPTED

061552 [Appointment - Bicycle Advisory Committee]

Resolution appointing Richard Tilles, term ending November 19, 2008, to the Bicycle Advisory Committee.

Richard Tilles, succeeding himself, term expired, seat 2, must be a nominee of District 2 Supervisor, for the unexpired portion of a two-year term ending November 19, 2008.

Enacted Number: 694-06

ADOPTED

061553 [Appointment - Western SoMa Citizens' Planning Task Force]

Resolution appointing Mark Vernon and Susan Hagen Contreras, terms ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Mark Vernon, succeeding Karen Nolan, resigned, seat 5, must be raising a family in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007. Susan Hagen Contreras, succeeding Sharon Kim, resigned, seat 14, must be a parks and open space advocate, for the unexpired portion of a three-year term ending November 23, 2007.

Enacted Number: 692-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

061635 [Adopting findings related to disapproving the categorical exemption issued for 2564 Sutter

Street]

Motion adopting findings related to disapproving the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M06-135

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Recommendation of the Select Committee on Ending Gun and Gang Violence

061453 [Police Foot Patrols] Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern, Bayview, Central and Richmond Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

NOTE: This action requires a two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the ordinance on December 15, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before January 14, 2007.

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Excused: 1 - Dufty

Recommendation of the Rules Committee

061455 [Confirmation - San Francisco Redevelopment Agency]

Resolution confirming the reappointment of Benny Yee by the Mayor, term ending September 3, 2010, to the San Francisco Redevelopment Agency.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to continue this matter to December 12, 2006.

Motion to continue this matter failed by the following vote:

Ayes: 5 - Alioto-Pier, Elsbernd, Jew, Maxwell, Sandoval

Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin

Excused: 1- Dufty

NOT ADOPTED by the following vote:

Ayes: 4 - Alioto-Pier, Elsbernd, Jew, Sandoval
Noes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Dufty

NEW BUSINESS

Recommendations of the Rules Committee

061333 **[Prohibiting Gifts From Restricted Sources]**

Ordinance amending section 3.216 of the Campaign and Governmental Conduct Code to prohibit City officers and employees from receiving any gifts from restricted sources other than nominal gifts exempted by the Ethics Commission and to clarify that exemptions to gift limits under state law also apply to limits imposed by local law. (Ethics Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisor Ammiano Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved to excuse Supervisor Ammiano from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

061508 **[Reappointment - Supervisor Tom Ammiano to MTC]** Supervisor Peskin

Resolution reappointing Supervisor Tom Ammiano, term ending February 10, 2011, to the Metropolitan Transportation Commission.

Enacted Number: 693-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061379 **[Hearing - Acquisition of Property By Eminent Domain-Islais Creek MUNI Maintenance Facility]**

Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

Continued to January 9, 2007 at 3:00 p.m.

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Committee of the Whole Adjourn and Report Without Recommendation

061377 **[To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]** **Supervisor Maxwell**

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

Continued to January 9, 2007 at 3:00 p.m.

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisor Sandoval welcomed, introduced and presented a Certificate of Honor to members of the American Postal Workers Union Local 2.

Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to Kirk Bennett in recognition of his retirement from the City and County of San Francisco.

Supervisor McGoldrick was noted absent at 3:35 p.m.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061576 **[Hearing to discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."]** Supervisor Alioto-Pier

Hearing to discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."

Jesse Blount, Mayor's Office of Economic Workforce Development

Ted Egan, reviewed with Board members a presentation "Focusing on San Francisco Economic Strategy Priorities"

Rhonda Simmons, Director, Office of Economic Workforce Development

Jim Haas

The public hearing was closed.

HEARD AT PUBLIC HEARING.

COMMITTEE REPORTS

061418 **[Providing policy direction to the Office of the Clerk of the Board of Supervisors regarding public access to its records]**

Motion providing policy direction to the Office of the Clerk of the Board of Supervisors regarding public access to its records. (Clerk of the Board)

Enacted Number: M06-134

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061616 **[Liquor License Transfer, 9 West Portal Avenue]** **Supervisor Elsbernd**

Resolution determining that the transfer of a Type 21 off-sale general license from 3130 Noriega Street to 9 West Portal Avenue, and the issuance of a Type 42 on-sale beer and wine public premises license at the same location, to Jay N. Gospodnetich and James M. Robinson for J.G.C.J. Wine Group, LLC, dba Wine Styles, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 685-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061531 **[Appropriating $162,000,000 of Certificates of Participation revenue to purchase and make improvements to three buildings for the City Administrator's Office for Fiscal Year 2006-** **Mayor, Supervisor Peskin**

2007]

Ordinance appropriating $162,000,000 of Certificates of Participation (COPs) revenue to purchase two buildings, including $96,355,000 for 1 South Van Ness and $51,160,000 for 1650 Mission, $6,130,000 for improvements to 30 Van Ness, and $8,355,000 for contingency changes in market conditions for the Office of City Administrator for Fiscal Year 2006-2007. Additionally, authorizing the advance of $2,721,727 from the Reserve for Rainy Day - One-Time Account to the City Administrator for improvements to these buildings in advance of the COPs sale, which shall be reimbursed upon receipt of the COPs proceeds.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061427 **[Departmental Efficiency Plans]** Mayor, Supervisor Peskin

Ordinance amending San Francisco Administrative Code by amending Section 88.4 and repealing Sections 88.5, 88.6, 88.7 and 88.8, to streamline the requirements for departmental efficiency plans.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061562 **[Amending the Working Families Credit Program and the Working Families Credit Fund]** Mayor

Ordinance amending the San Francisco Administrative Code by renumbering section 10.100-347 to 10.100-79 and amending Sections 12S.1 and 10.100-79 to establish that: 1) the Working Families Credit Program and the Working Families Credit Fund are administered by the Human Services Agency (HSA); 2) incentive payments may be calculated based on a flat rate; and 3) HSA may enter into agreements with private industries to provide other discounted services or products to program participants.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061494 **[Appropriating $75,000 of General Fund Reserve to support Working Families Credit Program Outreach in the Human Services Agency for Fiscal Year 2006-2007]** Supervisor Daly

Ordinance appropriating $75,000 of General Fund Reserve to support outreach for the Working Families Credit Program in the Human Services

Agency for Fiscal Year 2006-2007.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Excused: 1 - Dufty

061581 **[Accept-Expend Federal Pass Through Grant - Department of Emergency Management]** Mayor

Ordinance authorizing the Department of Emergency Management to accept and expend a federal pass through grant in the amount of $1,667,904 from the United States Department of Homeland Security through the Governor's Office of Homeland Security under three grant programs: the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Metropolitan Medical Response System (MMRS), and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

Amended on page 2, line 14, by replacing "and" with "any."

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061582 **[Grant of Federal Homeland Security Funds]** Mayor

Ordinance authorizing the Department of Emergency Management to accept and expend a grant of $22,656,000 in funds from the United States Department of Homeland Security through the California Office of Homeland Security under the Urban Area Security Initiatives Program, and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061585 **[Public Employment - Emergency Management Department, Emergency Services Division,**

Police, Fire, Public Health and Sheriff]

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006/2007) reflecting the extension of thirty-nine positions at the following departments: Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061569 [Sole Source Designation of Professional Services Contracts for Health and Behavioral Health Services and Support] Supervisor Peskin

Ordinance amending the San Francisco Administrative Code to add Section 21.42, approving the sole source designation of professional services contracts for health and behavioral services and support by the San Francisco Health Commission, where such services are provided by non-profits.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061607 [Public Employment - Children and Families Commission, First 5 San Francisco Commission] Supervisor Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9774, Senior Community Development Specialist I, in the Children and Families Commission, First 5 San Francisco Commission.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061564 [Support Goals for Federal Funding - Community Development Block Grant] Supervisor Maxwell

Resolution supporting Fiscal Year 2007-2008 Community Development Block Grant (CDBG) Action Plan Goals.

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.** The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Dufty

ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless and welcomed newly sworn in Supervisor Jew

James Chaffee; expressed concern with issues relating to the SF Public Library

Crystal Lei; expressed concern with issues relating to the Planning Department and property located at 337-28th Avenue.

Male speaker: expressed concern with issues relating to the Planning Department and property located at 337-28th Avenue.

Jim Adams: expressed concern relating to issues of the wording of the pledge of allegiance

Eugene Gordon, Jr., expressed concern with issues relating to violations of human rights

Herb Meiberger; expressed concern with investments from SFERS in companies doing business in the Sudan

Claire Dunn; expressed appreciation with Health Service System for the recent Health Fair

John Hemmet: shared with the Board an exhibit relating to the ocean

George R. Williams; expressed appreciation to the Board for health care for citizens

Bernard Crotty; expressed concern with the Health Service System's future funding and how much improved the Health Service System has become

Male speaker; welcomed Supervisor Jew

Jerry Meister; showed appreciation to the Health Service System and how much improved the Health Service System has become

Gerald DeRyan; showed appreciation to the Health Service System

Francisco da Costa; provided the Board with brochures and documnets from California State Legislature swearing in ceremonies and Opening of the 2007-08 Session

CLOSED SESSION

061634 **[Closed Session - Potential Litigation Emergency Response Fee and Telephone Users Tax]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation involving the City concerning the City's emergency response fee and the City's telephone users tax. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.

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CLOSED SESSION

The Board recessed at the hour of 3:45 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:01p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin. Sandoval - 9

Persons in attendance: Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval

Supervisor Dufty was previously excused from today's attendance.

Cheryl Adams, Deputy City Attorney

Julie Van Nostern, Deputy City Attorney

Jean Alexander, Deputy City Attorney

Monique Zmuda, Controller's Office

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Ammiano, seconded by Supervisor Maxwell, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Dufty

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061612 **[Commemorating the 8th Annual Transgender Day of Remembrance]** **Supervisors McGoldrick, Dufty**

Resolution Commemorating the 8th Annual Transgender Day of Remembrance and to celebrate the diversity in people's self-defined gender identities and expressions.

Enacted Number: 687-06
ADOPTED

061613 **[Resolution urging the Legislature and the Senate of the State of California to work with the California Child food Program Roundtable to ensure young children in the state of California** Supervisor Maxwell

Resolution urging members of the Legislature and the Senate of the State of California to work with the California Child Food Program Roundtable to identify and implement legislative strategies to ensure young children in the State of California have continued access to the Child and Adult Care Food Program.

Enacted Number: 689-06

ADOPTED

061614 **[Resolution acknowledging the one hundred anniversary of the San Francisco Local of the American Postal Workers Union, AFL-CIO, and proclaiming December 5, 2006, as San Francisco Postal** Supervisor Sandoval

Resolution Proclaiming the San Francisco Local of the American Postal Workers Union, AFL-CIO, for one hundred years of representing the working postal men and women of San Francisco.

Enacted Number: 690-06

ADOPTED

061624 **[Final Map - 30 Dore Street]**

Motion approving Final Map 3673, a 42 Unit Residential Condominium Project, located at 30 Dore Street being a subdivision of Lot 24A in Assessors Block No. 3518 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,525; District 6.)

Enacted Number: M06-127

APPROVED

061625 **[Final Map - 271 Cumberland Street]**

Motion approving Final Map 3186, a 5 Unit Residential Condominium Project, located at 271 Cumberland Street being a subdivision of Lot 35 in Assessors Block No. 3600 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,526; District 8.)

Enacted Number: M06-128

APPROVED

061626 [Final Map - 310 Townsend Street]

Motion approving Final Map 3448, a 45 Unit Residential Condominium Project, located at 310 Townsend Street being a subdivision of Lot 13 in Assessors Block No. 3786 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,541; District 6.)

Enacted Number: M06-129
APPROVED

061630 [Final Map - 1043 Valencia Street]

Motion approving Final Map 3840, a 6 Unit Mixed -Use Condominium Project, located at 1043 Valencia Street being a subdivision of Lot 21 in Assessors Block No. 3616 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,550; District 9.)

Enacted Number: M06-130
APPROVED

061631 [Final Map - 1630 California Street]

Motion approving Final Map 3681, a 41 Unit Mixed - Use Condominium Project, located at 1630 California Street being a subdivision of Lot 3 in Assessors Block No. 0643 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,542; District 3.)

Enacted Number: M06-131
APPROVED

061632 [Final Map - 3107 Geary Boulevard]

Motion approving Final Map 3951, a 10 Unit Commercial Condominium Project, located at 3107 Geary Boulevard being a subdivision of Lot 39 in Assessors Block No. 1088 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,540; District 2.)

Enacted M06-132

Number:
APPROVED

061633 [Final Map - 325 Berry Street]

Motion approving Final Map 3502, a 111 Unit Mixed - Use Condominium Project, located at 325 Berry Street being a subdivision of Lot 5 in Assessors Block No. 8707 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,531; District 6.)

Enacted Number: M06-133
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Dufty

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Elsbernd, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Elsbernd, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Dufty

061638 [Commendation for Au Co Vietnamese Cultural Center] Supervisor Daly

Resolution commending Au Co Vietnamese Cultural Center on its 20th Anniversary of providing excellent service to the Vietnamese community of San Francisco.

Enacted Number: 688-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Dufty

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

061609 [Authorizing members of City boards and commissions, including the Board of Supervisors, to meet by teleconferencing when physically unable to attend in person due to the member's pregnancy, Supervisors Alioto-Pier, Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 1.60, to implement Proposition B as adopted by the voters at the November 7, 2006 election and authorize members of City boards and commissions, including the Board of Supervisors, to participate in meetings by teleconferencing when the member is physically unable to attend in person, as certified by a health care provider, due to the member's pregnancy, childbirth, or related condition.

11/21/06, RECEIVED AND ASSIGNED to Rules Committee.

12/5/06, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

12/5/06, ASSIGNED to Rules Committee.

061641 [Barring the Police Department from inspecting telephone bills for Press Room telephones at the Hall of Justice, and requiring the Department of Administrative Services to pay any such Supervisor Sandoval

Ordinance prohibiting the Police Department from inspecting or making use of records of City telephones provided for the use of the news media at the Hall of Justice, and requiring the Department of Administrative Services to

pay any costs associated with the provision of such telephones.

12/5/06, RECEIVED AND ASSIGNED to Rules Committee.

061644 [Notification by Mail for Proposed New or Expanded Residential Parking Permit Areas] Supervisor McGoldrick

Ordinance amending San Francisco Traffic Code Section 306 to require notification by mail to all property owners and, to the extent practical, residents within 500 feet of any new or expanded residential parking permit area.

12/5/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061646 [Recreation and Park-Prohibition of alcoholic beverages in South Park] Supervisor Daly

Ordinance amending the San Francisco Park Code Sec. 4.10 to prohibit the consumption of alcoholic beverages in South Park.

12/5/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061647 [Graffiti Advisory Board - Membership] Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 5.170 to reconstitute the membership of the Graffiti Advisory Board, to provide all members with the right to vote, and to correct the reference to Charter Section 4.101.

12/5/06, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

061638 [Commendation for Au Co Vietnamese Cultural Center] Supervisor Daly

Resolution commending Au Co Vietnamese Cultural Center on its 20th Anniversary of providing excellent service to the Vietnamese community of San Francisco.

12/5/06, ADOPTED.

061640 [2007-2010 Children Services Allocation Plan] Mayor

Resolution approving the Children Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter. (Mayor)

12/5/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061642 [Accept-Expend Funds - Cold Case Program] Supervisor Elsbernd

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $394,891 from the Department of Justice, Office of Justice Programs, for a program entitled "Cold Case Program," for the period October 1, 2005 to September 30, 2007.

12/5/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061645 [Camp Mather-Private Public] Supervisors McGoldrick, Mirkarimi

Resolution opposing privatization of Camp Mather operations and any further franchising out of services or concessions at Camp Mather.

12/5/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061648 [San Francisco Unified School District General Obligation Bonds] Supervisor Ammiano

Resolution authorizing the San Francisco Unified School District to issue and sell on its own behalf its general obligation bonds approved by the voters at the November 7, 2006 election without further action by this Board of Supervisors or any other officer of the City and County of San Francisco; ratifying certain actions previously taken; and granting general authority to City and County of San Francisco officials to take necessary actions in connection with the issuance of the general obligation bonds by the San Francisco Unified School District; and providing prior notice to the City and County of San Francisco for the anticipated sale and issuance of any future series of bonds.

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061649 [Grant for HIV/AIDS prevention in the San Francisco County Jail] Supervisors Ammiano, Dufty, Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (DPH), Jail Health Services, Forensic AIDS Project to accept and expend retroactively a new grant in the amount of $28,449, from the United States Conference of Mayors Research and Education Foundation (COMREF) in support of a program entitled Reaching Inward for Self-Empowerment (RISE) Project HIV/AIDS Prevention Program Grant, for the period of September 1, 2006 through August 31, 2007 with continuation for one additional year, which includes a sub-contract with the San Francisco State University Center for Research on Gender and Sexuality in the amount of $12,000 for the same time period.

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061650 [Apply for State Grant - Sheriff's Department project to address the needs of mentally ill offenders in the jails] Supervisors Dufty, Mirkarimi

Resolution authorizing the Sheriff's Department to apply for a 18-month grant in an amount not to exceed $1,000,000 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program.

(Fiscal impact.)

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061651 [Urging the Planning Director to monitor the development of San Francisco State University's Supervisor Elsbernd

Master Plan]

Resolution urging the Planning Director to monitor the development of San Francisco State University's Master Plan.

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061652 [DPW Notification Process for Sidewalk Repair] Supervisors Elsbernd, Jew, Mirkarimi

Resolution urging the Department of Public Works to improve its notification process to responsible property owners for the construction, repair, and replacement of sidewalks.

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061653 [Grant for Pandemic Influenza Preparedness] Supervisors Maxwell, Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), Communicable Disease Control and Prevention Section to accept and expend retroactively a new grant in the amount of $88,582, from the California Department of Health Services (CDHS), to undertake pandemic influenza emergency preparedness and response planning and to enter into an agreement for the use of these funds; for the period of May 22, 2006 to April 30, 2008.

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061654 [Monster Cable Products, Inc] Supervisors McGoldrick, Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval, Alioto-Pier

Resolution urging Monster Cable Inc. to provide a fair severance package to the over 120 laid-off workers at the Brisbane facility and to support these workers and the local community in dealing with the long-term detrimental impacts of Monster Cable Product's outsourcing of production jobs.

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061655 [Urging the San Francisco Unified School District and the Recreation and Park Department to alleviate traffic impacts on the 1300 block of 6th Avenue] Supervisors Mirkarimi, Elsbernd

Resolution urging the San Francisco Unified School District and the Recreation and Parks Department to help alleviate the traffic impact created by the loss of the parking at the lot on the 1300 block of 6th Avenue.

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061656 [Lee Mallory Day] Supervisor Peskin

Resolution declaring January 10, 2007 as Lee Mallory Day in San Francisco.

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061657 **[Center for Elderly Suicide Prevention and Grief Related Services (CESP) Day]** Supervisor Peskin

Resolution proclaiming December 10th, 2006, as CESP Day in San Francisco.

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061658 **[Declaration of Election Results - November 7, 2006]** Supervisor Peskin

Resolution declaring the results of the November 7, 2006 Consolidated General Election.

12/5/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061660 **[Resolution to Establish the Fisherman's Wharf Portside Community Benefit District]** Supervisor Peskin

Resolution of Formation: Establishing a business-based business improvement district to be known as the "Fisherman's Wharf Portside Community Benefit District (CBD)," ordering the levy and collection of assessments against businesses located in that district for fourteen (14) years commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings.

12/11/2006 - Economic Impact

12/5/06, ASSIGNED to Board of Supervisors. Scheduled for December 12, 2006 at 3:00pm 12/11/2006 - Allan Lacayo, OEA, Controller's Office delivered a copy of report to each Supervisors Office.

Requests for Hearing

061639 **[Hearing on implementation of garbage receptacles storage]** Supervisor McGoldrick

Hearing on the steps being taken to implement file number 060083 (Ordinance amending Public Works Code Section 170 to require that garbage receptacles, after collection, be returned to an enclosed area or other area that blocks views of the receptacle from the public right-of-way; and making environmental findings.)

12/5/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061659 **[Hearing - Fisherman's Wharf Portside Community Benefit District]** Supervisor Peskin

Hearing of persons interested in or objecting to proposed Resolution of Formation: Establishing a business-based business improvement district to be known as the "Fisherman's Wharf Portside Community Benefit District (CBD)," ordering the levy and collection of assessments against businesses located in that district for fourteen (14) years commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental

findings. (Clerk of the Board)

12/5/06, SCHEDULED FOR PUBLIC HEARING. Scheduled for December 12, 2006 at 3:00 p.m.

PROPOSED ORDINANCES

061621 [Reduction to the San Francisco Public Library Cash Revolving Fund]

Ordinance amending San Francisco Administrative Code Section 10.155 to decrease the Cash Revolving Fund of the San Francisco Public Library from $5,000 to $3,500. (Public Library)

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061623 [Landmark Designation of 3750 18th Street (Mission High School)] Supervisors Peskin, Dufty

Ordinance Designating 3750 18th Street, Mission High School, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

11/17/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

061620 [Reprogramming of $128,157 from SFGH's equipment budget to purchase a third van for the Mobile Methadone Program] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to reprogram $128,157 in funding approved in the budget for San Francisco General Hospital (SFGH) for medical chairs, tables and information technology, to purchase instead, a large RV-size vehicle (Van) for the DPH Mobile Methadone Program in FY 2006-07. (Public Health Department)

11/21/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061622 [Public Works Encroachments under Hooper and Carolina Streets]

Resolution granting revocable permission to California College of the Arts, to occupy a portion of the public right-of-way to install one sub-surface conduit under Hooper Street between 07th and 08th Streets; and, one sub-surface conduit under Carolina Street between Channel and 15th Streets to connect with fiber optic cables three college sites for the college computer network located at 1111 -08th Street (Block 3820, Lot 003) conditioned upon the payment of an annual assessment fee as set forth in Public Works Code Sec. 2.1.1 (h) (iii) and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

11/20/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to install a street cleaning sign at the end of the cul-de-sac on the 2100 Block of Funston.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to study the possibility of installing a stop sign at the corner of 18th Avenue and Taraval.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to study the possibility of installing traffic calming measures at the intersection of Locksley and Warren Drive.

From: Supervisor Mirkarimi

To: City Librarian, San Francisco Public Library

Requesting/Inquiring: Requesting the San Francisco Public Library to report on the status of removing the graffiti on the 19th Avenue side of the Sunset Branch at 1305 - 18th Avenue.

From: Supervisor Mirkarimi

To: Superintendent, San Francisco Unified School District

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the San Francisco Unified School District and the Department of Public Works to report on the status of removing graffiti from the wall at the playground facility at Newcomer High School located on 6th Avenue between Irving and Judah and the repair of the sidewalk at the back side of Ida B. Wells School, around a tree on Fell Street between Pierce and Steiner.

From: Supervisor Mirkarimi

To: Director, Public Utilities Commission

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Public Utilities Commission and the Department of Public Works to report on the status of removing graffiti from: the base of a utility pole on

In Memoriams

David Ayoob - Supervisor Ammiano

Mae Tong - Supervisor Jew

Jim Beals - Entire Board

Roger Sick Yen Chin - Supervisor Peskin

Benjamin Douglas James, Jr. - Supervisor Sandoval

Leo Laxamana - Supervisor Ammiano

Graciela "Gracie" Sholl - Supervisor Mirkarimi

Genevieve Paez - Supervisor Maxwell

Thomas Fleming - Entire Board

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:52 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 9, 2007.

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The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
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翻譯 *必須在會議前最少四十八時提出要求*
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Board of Supervisors

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MEETING MINUTES

Tuesday, December 12, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to approve the November 7, 2006 and November 14, 2006 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061581 **[Accept-Expend Federal Pass Through Grant - Department of Emergency Management]** **Mayor**

Ordinance authorizing the Department of Emergency Management to accept and expend a federal pass through grant in the amount of $1,667,904 from the United States Department of Homeland Security through the Governor's Office of Homeland Security under three grant programs: the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Metropolitan Medical Response System (MMRS), and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

Enacted 303-06

Number:
FINALLY PASSED

061582 [Grant of Federal Homeland Security Funds] Mayor

Ordinance authorizing the Department of Emergency Management to accept and expend a grant of $22,656,000 in funds from the United States Department of Homeland Security through the California Office of Homeland Security under the Urban Area Security Initiatives Program, and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

Enacted 304-06
Number:
FINALLY PASSED

061427 [Departmental Efficiency Plans] Mayor, Supervisor Peskin

Ordinance amending San Francisco Administrative Code by amending Section 88.4 and repealing Sections 88.5, 88.6, 88.7 and 88.8, to streamline the requirements for departmental efficiency plans.

Enacted 307-06
Number:
FINALLY PASSED

061479 [Airport Concession Lease]

Resolution approving Amendment No. 6 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Enacted 703-06
Number:
ADOPTED

061531 [Appropriating $162,000,000 of Certificates of Participation revenue to purchase and make improvements to three buildings for the City Administrator's Office for Fiscal Year 2006-2007] Mayor, Supervisor Peskin

Ordinance appropriating $162,000,000 of Certificates of Participation (COPs) revenue to purchase two buildings, including $96,355,000 for 1 South Van Ness and $51,160,000 for 1650 Mission, $6,130,000 for improvements to 30 Van Ness, and $8,355,000 for contingency changes in market conditions for

the Office of City Administrator for Fiscal Year 2006-2007. Additionally, authorizing the advance of $2,721,727 from the Reserve for Rainy Day - One-Time Account to the City Administrator for improvements to these buildings in advance of the COPs sale, which shall be reimbursed upon receipt of the COPs proceeds.

(Fiscal Impact.)

Enacted Number: 310-06

FINALLY PASSED

061562 [Amending the Working Families Credit Program and the Working Families Credit Fund] Mayor

Ordinance amending the San Francisco Administrative Code by renumbering section 10.100-347 to 10.100-79 and amending Sections 12S.1 and 10.100-79 to establish that: 1) the Working Families Credit Program and the Working Families Credit Fund are administered by the Human Services Agency (HSA); 2) incentive payments may be calculated based on a flat rate; and 3) HSA may enter into agreements with private industries to provide other discounted services or products to program participants.

Enacted Number: 308-06

FINALLY PASSED

061569 [Sole Source Designation of Professional Services Contracts for Health and Behavioral Health Services and Support] Supervisor Peskin

Ordinance amending the San Francisco Administrative Code to add Section 21.42, approving the sole source designation of professional services contracts for health and behavioral services and support by the San Francisco Health Commission, where such services are provided by non-profits.

Enacted Number: 309-06

FINALLY PASSED

061607 [Public Employment - Children and Families Commission, First 5 San Francisco Commission] Supervisor Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9774, Senior Community Development Specialist I, in the Children and Families Commission, First 5 San Francisco Commission.

Enacted Number: 306-06
FINALLY PASSED

061568 [Ratification of prior professional service contracts for health and behavioral health services and approval of three year extensions] Supervisor Peskin

Resolution ratifying prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approving three year extensions.

(Fiscal Impact.)

Enacted Number: 702-06
ADOPTED

061597 [Accept and Expend State Water Resources Control Board Grant Funds] Supervisor Elsbernd

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a State Water Resources Control Board Grant in the amount of $202,500 for the development of a Pilarcitos Creek Integrated Watershed Management Plan.

Enacted Number: 704-06
ADOPTED

061561 [Recreation and Park-Golden Gate Park AB 716 Grant Funds] Mayor

Resolution authorizing the Recreation and Park Department to re-appropriate $527,221 of Proposition 40, AB 716 Grant Program funds from the Urban Forestry Yard project to the South Murphy Windmill Project.

(Fiscal Impact.)

Enacted Number: 705-06
ADOPTED

061598 [Accept-expend State Grant Funds available under the California Cultural and Historical Endowment to fund the South Murphy Windmill Restoration Project] Supervisor McGoldrick

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of $488,411 for the restoration

of the South Murphy Windmill, under Proposition 40 California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California State Library, California Cultural and Historical Endowment.

Enacted Number: 706-06

ADOPTED

061604 [Reprogram and Expend Federal Community Development Block Grant and Emergency Shelter Grant Funds] Supervisor Dufty

Resolution approving the reprogramming and expenditure of One Hundred Twenty-One Thousand Two Hundred and Fifty Dollars ($121,250.00) of Community Development Block Grant funds and Fifty Thousand Dollars ($50,000.00) of Emergency Shelter Grant funds.

Enacted Number: 707-06

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

061433 [Accept-Expend Bayview Hunters Point Farmers' Market Grant] Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $19,250 from Clear Focus Coaching, Inc., for the purpose of operating a farmers' market in the Bayview Hunters Point (BVHP) community.

Enacted Number: 708-06

ADOPTED

061435 [Accept-Expend Grant - Juvenile Probation Department] Supervisor Maxwell

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $125,000 from the Annie E. Casey Foundation to support juvenile justice reform activities at the Juvenile Probation Department.

Enacted Number: 697-06

ADOPTED

061436 **[Authorizing Corrections Standards Authority Grant Application]** Supervisor Maxwell

Resolution authorizing the application to Department Of Corrections And Rehabilitation Corrections Standards Authority by the San Francisco Juvenile Probation Department to support the Department's efforts to address Disproportionate Minority Contact (DMC).

Enacted Number: 700-06
ADOPTED

061492 **[Accept U.S. EPA Grant Funds]** Supervisor Ammiano

Resolution authorizing the San Francisco Public Utilities Commission to accept a grant in the amount of $477,900 from the U.S. Environmental Protection Agency through the Department of the Interior, Environment, and Related Agencies Appropriation Act of 2006.

Enacted Number: 711-06
ADOPTED

061495 **[Accept-Expend Grant - Juvenile Probation Department]** Supervisor Maxwell

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $600,000 from the Zellerbach Family Foundation for supplemental support of organizational change activities within the Juvenile Probation Department.

Enacted Number: 722-06
ADOPTED

061500 **[Accept-Expend State Grant - Department of the Environment]** Supervisor Maxwell

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of $129,600 from the California Department of Transportation to conduct an inventory of diesel emissions sources and develop a long-term plan to reduce diesel air pollution in the Bayview Hunters Point community of San Francisco.

Enacted Number: 695-06
ADOPTED

Recommendations of the Rules Committee

061333 [Prohibiting Gifts From Restricted Sources] Supervisor Mirkarimi

Ordinance amending section 3.216 of the Campaign and Governmental Conduct Code to prohibit City officers and employees from receiving any gifts from restricted sources other than nominal gifts exempted by the Ethics Commission and to clarify that exemptions to gift limits under state law also apply to limits imposed by local law. (Ethics Commission)

Enacted Number: 301-06

FINALLY PASSED

061520 [Settlement of Lawsuit - Cynthia Fitzgerald]

Ordinance authorizing settlement of the lawsuit filed by Cynthia Fitzgerald against the City and County of San Francisco for $140,000; the lawsuit was filed on November 8, 2004 in San Francisco Superior Court, Case No. 436-152; entitled Cynthia Fitzgerald, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 305-06

FINALLY PASSED

061521 [Settlement of Lawsuit - Bradford Wilson]

Ordinance authorizing settlement of the lawsuit filed by Bradford Wilson against the City and County of San Francisco for $70,000.00; the lawsuit was filed on October 27, 2005 in the San Francisco Superior Court, Case No. 446116; entitled Bradford Wilson v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 302-06

FINALLY PASSED

061627 [Appointment - Western SoMa Citizens' Planning Task Force]

Resolution appointing Henry Karnilowicz, term ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Henry Karnilowicz, succeeding Bonnie D'Amico, resigned, seat 7, must operate a local business in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.

Enacted Number: 709-06
ADOPTED

061628 [Appointment - Sweatfree Procurement Advisory Group]

Resolution appointing Sarah Leiber Church and Virginia Villegas, terms ending December 17, 2007, to the Sweatfree Procurement Advisory Group, residency requirement waived.

Sarah Leiber Church, succeeding Abigail Levine, resigned, seat 3, must have significant experience as an advocate for human rights or the poor, for the unexpired portion of a two-year term ending December 17, 2007. Virginia Villegas, succeeding Dale Jiajun Wen, resigned, seat 5, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007.

Enacted Number: 710-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed From the Consent Agenda

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

061585 [Public Employment - Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff]

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006/2007) reflecting the extension of thirty-nine positions at the following departments: Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff.

Enacted Number: 312-06
FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Dufty, Maxwell

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

061494 [Appropriating $75,000 of General Fund Reserve to support Working Families Credit Program Outreach in the Human Services Agency for Fiscal Year 2006-2007] Supervisor Daly

Ordinance appropriating $75,000 of General Fund Reserve to support outreach for the Working Families Credit Program in the Human Services Agency for Fiscal Year 2006-2007.

Enacted Number: 311-06

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061478 [Appropriating $2,006,473 for Violence Prevention Programming in the Juvenile Probation Department and the Department of Children, Youth and Their Families for Fiscal Year 2006-2007] Supervisors Daly, Dufty

Ordinance appropriating $1,000,000 from the Children's Fund, $779,370 of General Fund Reserve and $227,103 in Juvenile Probation Title IV-E (Foster Care) funds for violence prevention programs, including $423,021 in the Juvenile Probation Department for six additional Deputy Probation Officers and two Juvenile Counselors, and $1,583,452 in the Department of Children, Youth and Their Families for violence prevention contracts for Fiscal Year 2006-2007.

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew

061497 **[Public Employment - Department of Elections]** Supervisor Sandoval

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9770, Community Development Assistant, and a 9772, Community Development Specialist in the Department of Elections, REG.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

061584 **[Defining material collected for recycling to be solid waste under prevailing wage/displaced worker ordinance pertaining to City Contracts for hauling of solid waste.]** Supervisors Peskin, Daly, Dufty, Mirkarimi, Ammiano

Ordinance amending Administrative Code Section 21.25-5 - requiring payment of prevailing wages to workers engaged in the hauling of solid waste generated by the City in the course of City operations, and retention of such workers upon a change in contractor - to include material collected for recycling in the definition of solid waste.

Supervisor Ammiano requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061583 **[Authorization for City to enter into Memorandum of Understanding with other Bay Area cities and counties to govern expenditure of fiscal year 2006 federal and state homeland security funds** Mayor

Resolution authorizing City and County officials to enter into a Memorandum of Understanding that would create a Urban Area Working Group with other Bay Area governmental entities to govern expenditure of federal and state fiscal year 2006 Urban Area Security Initiatives Program funds and that would make San Francisco the primary grantee and fiscal agent for those funds; further authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any and all documentation necessary to apply for and receive federal and state financial assistance under the Urban Area Security Initiatives Program and other federal and state homeland security programs.

Enacted 718-06

Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061602 [Authorizing the Office of Contract Administration to amend its contract with En Pointe to exceed $20 million]

Resolution authorizing the Office of Contract Administration to enter into the Fourth amendment between the City and En Pointe (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $20 million to $31 million.

(Fiscal Impact.)

Enacted Number: 712-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061603 [Authorizing the Office of Contract Administration to amend its contract with Xtech to exceed $25 million]

Resolution authorizing the Office of Contract Administration to enter into the Fifth amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $25 million to $37 million.

(Fiscal Impact.)

Enacted Number: 713-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Joint Budget and Finance/Land Use and Economic Development Committees

061498 [Endorsement of Development Plan and Term Sheet for the Redevelopment of Naval Station Treasure Island] Mayor

Resolution endorsing the Development Plan and Term Sheet for the Redevelopment of Former Naval Station Treasure Island between Treasure Island Community Development, LLC and the Treasure Island Development Authority.

(Fiscal Impact.)

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

Recommendations of the Land Use and Economic Development Committee

Supervisors Mirkarimi and Dufty Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Daly, moved to excuse Supervisors Mirkarimi and Dufty at their request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061519 [Condominium conversion lottery extension to 2008] Supervisor McGoldrick

Ordinance amending Subdivision Code Section 1396 to extend the annual 200-unit condominium conversion lottery until 2008; repealing Section 1396.1 to delete condominium conversion lottery provisions that are void by their own terms; adding Section 1396.1 to reenact the condominium conversion lottery process from 2005 and to establish provisions concerning the standby list selection process; and making environmental findings. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Dufty, Mirkarimi

061538 [Exemption of housing for victims of domestic violence from compliance with the Uniform Supervisor Peskin

Visitor Policy for Residential Hotels]

Ordinance amending Section 41D.1 those of the San Francisco Administrative Code to exempt from the requirements of Chapter 41D residential hotels that are operated by non-profit agencies to provide housing and supportive services to victims of domestic violence.

Amended on page 1, line 18, after "survivor" by inserting "domestic".

AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

061493 [Interim Zoning Requiring Conditional Use Authorization for Change in Use or Reduction of 15,000 square feet or more of Recreational Space] — Supervisors Daly, Sandoval, McGoldrick, Mirkarimi

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any recreational space of 15,000 square feet or more including indoor or outdoor facilities, for an eighteen (18) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 723-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061342 [Establishing City and County of San Francisco Policy for the Eastern Neighborhoods Rezoning and Community Plans Area] — Supervisors Maxwell, Ammiano, Peskin, McGoldrick

Resolution establishing City and County of San Francisco policy for the Eastern Neighborhoods Rezoning and Community Plans Area.

Continued to January 9, 2007

Supervisor Dufty, seconded by Supervisor Jew, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Noes: 2 - Maxwell, McGoldrick

Recommendation of the Rules Committee

061567 [Board of Supervisors - Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the January 16, 2007, February 20, 2007, May 29, 2007, July 3, 2007, October 9, 2007, November 27, 2007, December 18, 2007, December 25, 2007 and January 1, 2008 meetings and by canceling all Board and Committee meetings from August 15 through September 4, 2007. (Clerk of the Board)

Enacted Number: 714-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

061659 [Hearing - Fisherman's Wharf Portside Community Benefit District] Supervisor Peskin

Hearing of persons interested in or objecting to proposed Resolution of Formation: Establishing a business-based business improvement district to be known as the "Fisherman's Wharf Portside Community Benefit District (CBD)," ordering the levy and collection of assessments against businesses located in that district for fourteen (14) years commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Speakers in support of a Fisherman's Wharf Portside Business-Based Community Benefit District:

Ms. Bell; Fisherman's Wharf and Bob Macintosh; Pier 39

Speakers Opposed to a Fisherman's Wharf Portside Business-Based Community Benefit District:

There were none.

The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.

The President declared the Public Hearing closed.

Tabulation of the ballots cast began by the Department of Elections.

HEARD AT PUBLIC HEARING.

Sueprvisor McGoldrick Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to excuse Supervisor McGoldrick, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061660 **[Resolution to Establish the Fisherman's Wharf Portside Community Benefit District]** **Supervisor Peskin**

Resolution of Formation: Establishing a business-based business improvement district to be known as the "Fisherman's Wharf Portside Community Benefit District (CBD)," ordering the levy and collection of assessments against businesses located in that district for fourteen (14) years commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings.

12/11/2006 - Economic Impact

The Clerk of the Board announced the tabulations of the Fisherman's Wharfside Portside Business Based District Community Benefit Distrtict:

Voting For 94.12%

Voting Against 5.88%

Enacted Number: 696-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Daly, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano welcomed, introduced and presented Certificates of Honor to Dave Lupo, Jay Bradshaw, Gary Woody Woodworth from Service West: Mark Vignols and Julio Lara, from Citizens' Housing: Scott Falcone and from the San Francisco International Airport: Martin Slater on behalf of Peter Acton, Linda Perry & Ernie Eavis, and the to the Director of Awakening Dream.

Supervisor Alioto-Pier welcomed, introduced and presented a Certificate of Honor to Charles Huggins.

Supervisor Daly welcomed, introduced and presented a Certificate of Honor to Bill Barnes.

SPECIAL ORDER 3:30 PM

061414 [Public Hearing - Sidewalk Assessment Costs]

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Harry Gulbengay, Department of Public Works

Property Owner 701 Scott Street

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

061415 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Continued to January 23, 2007

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew,

Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

061417 **[Hearing -Tentative Parcel Map, 455 Buena Vista East]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 3, 2006, approving a proposed Tentative Parcel Map to create a 2-Lot Subdivision project located at 455 Buena Vista Avenue, Lot 270 in Assessor's Block 2607. (Appellant: Peter Yedidia).

(Filed October 13, 2006; companion measure to Files 061487, 061488, 061489; District 8.)

Continued to January 9, 2007

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061487 **[Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 455 Buena Vista East]**

Motion approving decision of the Director of Public Works and approving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 9, 2007

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061488 **[Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel**

Map for 455 Buena Vista East]

Motion disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 9, 2007

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061489 [Preparation of findings related to the Tentative Parcel Map appeal for 455 Buena Vista East]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 9, 2007

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

061591 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 538 Laidley Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2006, (Building Permit Application No. 2005.01.14.3283), exempting from environmental review under the California Environmental Quality Act ("CEQA") the proposed project at 538 Laidley Street, Lot 012 in Assessor's Block 6728. The proposal would construct a three-story over garage single-family residence on a vacant lot zoned RH-1 (Residential, House, One-Family) District in a 40-X Height and Bulk District. (Appellant: Ian Haddow)

(Filed November 15, 2006; Companion measure to Files 061591, 061592, 061593, 061594, District 8.)

The President inquired as to whether or not any member of the public wished to address the Board.

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061592 **[Affirming the categorical exemption issued for 538 Laidley Street project]**

Motion affirming the determination by the Planning Department that the 538 Laidley Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M06-137

Supervisor Dufty, seconded by Supervisor Jew, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061593 **[Disapproving the categorical exemption issued for 538 Laidley Street project]**

Motion disapproving the determination by the Planning Department that the 538 Laidley Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Dufty, seconded by Supervisor Jew, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061594 **[Preparation of findings related to the 538 Laidley Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 538 Laidley Street is exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M06-138

Supervisor Dufty, seconded by Supervisor Jew, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew,

Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

Supervisor Elsbernd Excused From Voting

Supervisor Dufty, seconded by Supervisor Ammiano, moved to excuse Supervisor Elsbernd, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061545 **[Settlement of Lawsuit - Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. CCSF, et al.]**

Ordinance approving settlement of litigation brought by Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust to quiet title as to the City and County of San Francisco in certain utility easements, in the action entitled Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. City and County of San Francisco, et al. (San Francisco Superior Court No. CGC-05-440100, filed April 5, 2005), for a total value of $136,000.00. (Real Estate Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

061611 **[Extending term of Back Streets Business Advisory Board]** Supervisor Maxwell

Ordinance extending for an additional nine months the term of the Back Streets Business Advisory Board.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061615 **[Extending the Select Committee on Ending Gun and Gang Violence]** Supervisor Maxwell

Motion extending the Select Committee on Ending Gun and Gang Violence.

Enacted Number: M06-136

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to homelessness

Eulla Walters; expressed concern with issues relating to the renaming of the Ferry Park to Sue Bierman Park

James Chaffee; expressed concern with issues relating to the SF Public Library

Sylvia Johnson; expressed concern with general issues

John di Donna; shared a poem with the Board relating to the Ugly American

Peter Warfield; expressed concern with the money which was designated for the opening of SF Public Libraries on Sundays

Larry Edmond; showed interest with issues relating to medical marijuana

Ms. Jones; expressed concern with issues relating to Police violence

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061648 **[San Francisco Unified School District General Obligation Bonds]** Supervisor Ammiano

Resolution authorizing the San Francisco Unified School District to issue and sell on its own behalf its general obligation bonds approved by the voters at the November 7, 2006 election without further action by this Board of Supervisors or any other officer of the City and County of San Francisco; ratifying certain actions previously taken; and granting general authority to City and County of San Francisco officials to take necessary actions in connection with the issuance of the general obligation bonds by the San Francisco Unified School District; and providing prior notice to the City and County of San Francisco for the anticipated sale and issuance of any future series of bonds.

Enacted Number: 717-06

ADOPTED

061649 **[Grant for HIV/AIDS prevention in the San Francisco County Jail]** Supervisors Ammiano, Dufty, Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (DPH), Jail Health Services, Forensic AIDS Project to accept and expend retroactively a new grant in the amount of $28,449, from the United States Conference of Mayors Research and Education Foundation (COMREF) in support of a program entitled Reaching Inward for Self-Empowerment (RISE) Project HIV/AIDS Prevention Program Grant, for the period of September 1, 2006 through August 31, 2007 with continuation for one additional year, which includes a sub-contract with the San Francisco State University Center for Research on Gender and Sexuality in the amount of $12,000 for the same time period.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 715-06

ADOPTED

061650 **[Apply for State Grant - Sheriff's Department project to address the needs of mentally ill offenders in the jails]** Supervisors Dufty, Mirkarimi

Resolution authorizing the Sheriff's Department to apply for a 18-month grant in an amount not to exceed $1,000,000 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program.

(Fiscal impact.)

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 716-06

ADOPTED

061651 [Urging the Planning Director to monitor the development of San Francisco State University's Master Plan] Supervisor Elsbernd

Resolution urging the Planning Director to monitor the development of San Francisco State University's Master Plan.

Enacted Number: 721-06

ADOPTED

061652 [DPW Notification Process for Sidewalk Repair] Supervisors Elsbernd, Jew, Mirkarimi

Resolution urging the Department of Public Works to improve its notification process to responsible property owners for the construction, repair, and replacement of sidewalks.

Enacted Number: 724-06

ADOPTED

061653 [Grant for Pandemic Influenza Preparedness] Supervisors Maxwell, Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), Communicable Disease Control and Prevention Section to accept and expend retroactively a new grant in the amount of $88,582, from the California Department of Health Services (CDHS), to undertake pandemic influenza emergency preparedness and response planning and to enter into an agreement for the use of these funds; for the period of May 22, 2006 to April 30, 2008.

Enacted Number: 698-06

ADOPTED

061655 [Urging the San Francisco Unified School District and the Recreation and Park Department to alleviate traffic impacts on the 1300 block of 6th Avenue] Supervisors Mirkarimi, Elsbernd

Resolution urging the San Francisco Unified School District and the Recreation and Parks Department to help alleviate the traffic impact created by the loss of the parking at the lot on the 1300 block of 6th Avenue.

Enacted Number: 720-06

ADOPTED

061656 [Lee Mallory Day] Supervisor Peskin

Resolution declaring January 10, 2007 as Lee Mallory Day in San Francisco.

Enacted Number: 725-06

ADOPTED

061657 [Center for Elderly Suicide Prevention and Grief Related Services (CESP) Day] Supervisor Peskin

Resolution proclaiming December 10th, 2006, as CESP Day in San Francisco.

Enacted Number: 719-06

ADOPTED

061658 [Declaration of Election Results - November 7, 2006] Supervisor Peskin

Resolution declaring the results of the November 7, 2006 Consolidated General Election.

Enacted Number: 701-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

061654 [Monster Cable Products, Inc] Supervisors McGoldrick, Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval, Alioto-Pier

Resolution urging Monster Cable Inc. to provide a fair severance package to the over 120 laid-off workers at the Brisbane facility and to support these workers and the local community in dealing with the long-term detrimental impacts of Monster Cable Product's outsourcing of production jobs.

Supervisor Jew requested that this matter be referred to Committee.

REFERRED to the City Operations and Neighborhood Services Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

061683 **[Amending the Open Video System Franchise Granted to RCN Telecom Services, Inc.]** Mayor

Ordinance amending the Open Video System Franchise Granted to RCN Telecom Services, Inc. in Ordinance No. 210-04 as a condition of the transfer of the franchise to Astound Broadband, LLC by amending Sections 1, 34, 46, and 92.

12/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061686 **[Deappropriating $45,991 of Salaries and Fringe Benefits in the Human Services Agency for Fiscal Year 2006-2007]** Supervisor Daly

Ordinance deappropriating $45,991 of Salaries and Fringe Benefits funding a Deputy Director IV position in the Human Services Agency for Fiscal Year 2006-2007.

12/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061688 **[Zoning-Use of Transferable Development Rights (TDRs)]** Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sections 123, 124, and 128 to address use of Transferable Development Rights (TDRs) under specified circumstances; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

12/12/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/11/2007.

061695 **[Assessment Appeals Boards: expanding Board Two jurisdiction]** Supervisor Peskin

Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards" by amending Section 2B.6 and Section 2B.13 to expand the jurisdiction of Board Two (1) from less than $20,000,000 to less than $50,000,000 maximum assessed roll value, and (2) to include jurisdiction over residential property of four units or less in the downtown and south of Market areas that are currently excluded from Board Two jurisdiction.

12/12/06, RECEIVED AND ASSIGNED to Rules Committee.

061432 [Clean Construction Ordinance] Supervisor Maxwell

Ordinance amending the Administrative Code to add Section 6.25 to require City Contractors to adopt clean construction practices including biodiesel fuel and emissions controls within one year; amending the Administrative Code to add Section 6.67 to allow City departments that are authorized to award public works contracts to compare bids on the basis of clean construction practices; and amending the Environment Code to add Section 411 to authorize the Department of the Environment to assist local businesses with off-road construction equipment in applying for funding to retrofit or replace such equipment and to require annual reporting, and making findings, including environmental findings.

(Fiscal impact.)

10/17/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/16/2006.

10/26/06, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and recommendation.

12/12/06, SUBSTITUTED. Supervisor Maxwell submitted a substiture ordinance bearing new title.

12/12/06, ASSIGNED to City Operations and Neighborhood Services Committee.

061109 [Building Code - Northwest Mt. Sutro Slope Protection Area.] Supervisor Elsbernd

Ordinance amending the San Francisco Building Code by adding Section 106.4.1.3 to create a Northwest Mt. Sutro Slope Protection Area and require the Structural Advisory Committee to review and make recommendations on specified permit applications within that area, which is generally bounded on the east by Crestmont Drive and its undeveloped northern extension, on the south along Oak Park to its intersection with Christopher Boulevard, west to Warren Drive, north along Warren Drive to the 6th Avenue and Kirkham Street intersection, and Kirkham Street in an easterly direction to its end at the undeveloped extension of Crestmont Drive, and to require mandatory denial of the permit by the Director of Building Inspector under specified circumstances; amending Section 105.6.2 to specify the composition of the Structural Advisory Committee for permit applications located within the Northwest Mt. Sutro Slope Protection Area; amending Building Code Section 106.3.2 to require that the applicant for certain permit applications located within the Northwest Mt. Sutro Slope Protection Area provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701.5 to require special inspections throughout the construction process for sites located within the Northwest Mt. Sutro Slope Protection Area; and amending Section 106.4.1.2.4 to amend the mandatory denial of the permit by the Director of Building Inspector requirements in the Edgehill Mountain Slope Protection Area.

7/25/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7/28/06, REFERRED TO DEPARTMENT. Referred to Building Inspection

Commission for review and comment.

12/12/06, SUBSTITUTED. Supervisor Elsbernd submitted a substitute ordinance bearing new title.

12/12/06, ASSIGNED to Land Use and Economic Development Committee.

Resolutions

061684 [Transfer of Open Video System Franchise] Mayor

Resolution approving with certain conditions the transfer to Astound Broadband, LLC. of the open video system franchise granted to RCN Telecom Services, Inc.

12/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061685 [Mortgage Revenue Bonds] Mayor, Supervisor Dufty

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $55,000,000 for Mason Street Affordable Housing Development; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $275,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $55,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

12/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061687 [Public Employment - Human Services Agency] Supervisor Daly

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) reflecting the reduction of 0.25 of a Deputy Director IV position in the Human Services Agency.

12/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061689 [Endorsing tree for landmark tree status - 2830 25th Street] Supervisor Ammiano

Resolution endorsing landmark tree designation of the valley oak (Quercus lobata) located at 2830 25th Street.

12/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061691 **[Grant of Federal Funds - Municipal Transportation Agency]** Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $25 million of State Transit Assistance funding for construction and construction support of Muni's Third Street Initial Operating Segment and Metro East facility.

12/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061692 **[Accept-Expend Federal Grant - Department of Public Works]** Supervisor Maxwell

Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of $342,000 from the California Department of Transportation to construct a new bus pad at Ingerson Avenue and Griffith Street.

12/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061693 **[Landmark Designation nomination for tree located at 730 28th Avenue]** Supervisor McGoldrick

Resolution of intent initiating the nomination of the California Buckeye located at 730 28th Avenue (Assessor's Block 1617 Lot 030) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

12/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061694 **[Traffic Regulation]** Supervisor Mirkarimi

Resolution rescinding traffic regulation on Oak Street.

TOW-AWAY NO STOPPING 7 - 9 AM - RESCIND
North side of Oak Street, from Buchanan to Divisadero Street

TOW-AWAY LANE MUST TURN LEFT - ESTABLISH
Oak Street, Eastbound at Divisadero Street

TOW-AWAY NO STOPPINIG 7 - 9 AM - ESTABLISH
North side of Oak Street, from Laguna Street to Octavia Street

12/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061696 **[Assessment Appeals Board Local Procedural Rule Modification: Time period for Applicants to request reconsideration after denial of application due to failure to appear at hearing]** Supervisor Peskin

Resolution approving modification of Assessment Appeals Board local Procedural Rule 21 as approved by a joint meeting of AAB members, to improve hearing calendar management by providing that an Applicant will have thirty (30) days (instead of the current sixty (60) days) to file a request for reconsideration whenever the AAB has denied an application due to the Applicant's failure to appear at the scheduled hearing.

12/12/06, RECEIVED AND ASSIGNED to Rules Committee.

061697 [Accept-Expend State Grant - San Francisco Port Commission] Supervisor Peskin

Resolution authorizing the San Francisco Port Commission to accept and expend $1,800,000 in Proposition 40, Clean Beaches Initiative grant funds from the State Water Resources Control Board to fund utility infrastructure improvements at the Pier 45 fish processing facility.

12/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061698 [Modifying provisions of resolution 10,435] Supervisor Elsbernd

Resolution urging the San Francisco Public Utilities Commission to work with the San Francisco Recreation and Parks Commission to modify provisions of resolution 10,435.

12/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061699 [Urging the Recreation and Park Department to install a new bathroom at Alamo Square Park] Supervisor Mirkarimi

Resolution urging the Recreation and Parks Department to install a new bathroom at Alamo Square Park.

12/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061700 [Establishing the Peak Oil Awareness Task Force] Supervisor Mirkarimi

Resolution establishing the Peak Oil Preparedness Task Force in order to coordinate the assessment of the City of San Francisco's vulnerability to energy price shocks and to determine appropriate measures to mitigate municipal vulnerability, and to draft a comprehensive response plan for recommendation to the Board of Supervisors.

12/12/06, RECEIVED AND ASSIGNED to Rules Committee.

061701 [Accept-Expend Foundation Grant - Department of the Environment] Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $50,000 from the Aryshire Foundation to redesign the San Francisco EcoCenter at 11 Grove Street to make it an interactive space that educates and informs residents about Climate Change and its potential effects on the City and County of San Francisco and provides information on solutions to the challenge of Climate Change.

12/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061702 [Accept and Expend State Grant - Department of the Environment] Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $49,980.00 from the California Integrated Waste Management Board for the purpose of increasing the Re-Use of Construction and Demolition materials in the City and County of San

Francisco.

12/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061703 **[Expressing concern about the decline in minority enrollment over the last decade at University of California campuses and urging the UC Regents to take proactive steps to increase** Supervisor Sandoval

Resolution expressing concern about the decline in minority enrollment over the last decade at University of California campuses and urging the UC Regents to take proactive steps to increase diversity.

12/12/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

061679 **[Recommendation 8.01 in the Recreation & Park Management Audit]** Supervisor Ammiano

Hearing on the possibility of amending the Annual Appropriation Ordinance, that requires Board of Supervisors approval for all leases and management agreements entered into by any City department, which makes the City responsible for any debt incurred under the lease or management agreement.

12/12/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

061680 **[Paid Sick Leave Ordinance (Measure F)]** Supervisor Elsbernd

Hearing to review the Office of Labor Standards Enforcement (OLSE) plans to implement and administer the Paid Sick Leave Ordinance (Measure F), passed by the voters in November 2006.

12/12/06, RECEIVED AND ASSIGNED to Rules Committee.

061681 **[Hearing on the Goals and Objectives of the SF Economic Strategy]** Supervisor Maxwell

Hearing before the meeting of Land Use and Economic Development Committee on the following topics: 1) Goals and Objectives of the San Francisco Economic Strategy; 2) Economic and Job Impacts of San Francisco Industries; 3) How San Francisco Works: The Structure of our Economy; 4) Understanding Economic Viability of San Francisco Businesses and Industries; 5) Recommended Target Industries and Strategic Priorities.

12/12/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061682 **[Redevelopment Agency]** Supervisor Mirkarimi

Hearing on the A2 Redevelopment Project Area as it pertains to the status of the remaining developments yet to be assigned, contracted or built; request a report at said hearing on the certificate of preference system applied by the Redevelopment Agency.

12/12/06, RECEIVED AND ASSIGNED to Land Use and Economic Development

Committee.

Motion

061661 [Motion calling a special meeting of the full Board of Supervisors on January 13th, 2007] Supervisor Peskin

Motion calling a special meeting of the full Board of Supervisors on Saturday, January 13th, 2007, at the Richmond Recreation Center, 251 - 18th Avenue.

12/7/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

061674 [Restricting parking on Turk and Larkin Streets and Golden Gate Avenue adjacent to the Federal Building at 450 Golden Gate Avenue to law enforcement vehicles authorized by the Federal

Ordinance amending the Traffic Code to restrict parking or standing by vehicles on Turk and Larkin Streets and on Golden Gate Avenue adjacent to the Phillip Burton Federal Building at 450 Golden Gate Avenue to law enforcement vehicles authorized by the Federal Protective Service of the Department of Homeland Security. (Parking and Traffic Department)

12/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061675 [Amending the Traffic Code to replace obsolete references to the Public Utilities Commission with references to the Municipal Transportation Agency]

Ordinance (1) amending the San Francisco Traffic Code by amending Sections 13 and 32.1.10 and (2) amending the San Francisco Public Works Code by amending Section 250.242 to replace obsolete references to the Public Utilities Commission with references to the Municipal Transportation Agency ("MTA") to reflect the MTA's assumption of authority over functions previously under the jurisdiction of the Commission. (Parking and Traffic Department)

12/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED RESOLUTIONS

061670 [Gift - Private - Department of Public Health, Laguna Honda Hospital & Rehabilitation Center] Supervisor Elsbernd

Resolution authorizing the Department of Public Health, Laguna Honda Hospital & Rehabilitation Center to accept a gift of van valued in the

amount of $39,889.16 from the Laguna Honda Hospital Volunteers Inc., for use in the transportation of LHH residents off campus. (Public Health Department)

11/29/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Supervisor Elsbernd requested to be added as co-sponsor.

061671 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

ONE-HOUR PARKING METER TIME LIMIT - RESCIND
TWO-HOUR PARKING METER TIME LIMIT - ESTABLISH
Haight Street, between Masonic Avenue and Stanyan Street (Note: Does not change time limits of green and yellow meters).

ONE-HOUR PARKING METER TIME LIMIT - RESCIND
TWO-HOUR PARKING METER TIME LIMIT - ESTABLISH
Masonic Avenue, Ashbury Street, Clayton Street, Belvedere Street, Cole Street and Shrader Street, approximately 100 feet north and south of Haight Street (Note: does not change time limits of green and yellow meters).

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 9 AM - 4 PM, EVERYDAY) - ESTABLISH
Harrison Street, north side, between east property line of Beale Street and west property line of 388 Beale Street.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
PARKING METER AREA NO. 1 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Harrison Street, north side, between the west property line of 388 Beale Street and Fremont Street (currently unregulated).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Potrero Avenue, west side, from 24th Street to 16 feet northerly; and,
Potrero Avenue, east side, from 24th Street to 16 feet southerly.

NO PARKING ANYTIME - ESTABLISH
Edgehill Way both sides, between 16 Edgehill Way and 40 Edgehill Way (for fire engine vehicle clearance).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Oak Street, south side, between the driveways of 1165-69 and 1171 Oak Street (9.5 foot space, accommodating 2 unmetered motorcycle spaces).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
McCoppin Street, south side, from Valencia Street to the western terminus of street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
7th Street, west side, from 93 to 112 feet north of Townsend Street (adds 5 more motorcycle spaces).

RESIDENTIAL PERMIT PARKING AREA "O" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Ulloa Street, both sides, between 21st and 22nd Avenues (2000 block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Mission Street, north side, from Farragut Avenue to 40 feet easterly.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Whittier Street, east side, from Mission Street to 76 feet southerly. (Parking and Traffic Department)

(11/30/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3274.)

12/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061672 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Avalon Avenue at Moscow Street, stopping westbound Avalon Avenue, making this Y-intersection an All-Way STOP;
Sierra and Texas Streets, stopping Sierra Street, the stem of this T-intersection;
Persia Avenue at Prague Street, stopping Persia Avenue, making this intersection an All-Way STOP;
Devonshire Way and Oak Park Drive, stopping Devonshire Way, making this intersection an All-Way STOP; and,
Kenwood Way and Keystone Way, stopping all approaches to this T-Intersection, making this intersection an All-Way STOP. (Parking and Traffic Department)

(11/30/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3274.)

12/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061673 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (EASTBOUND ONLY) - ESTABLISH
BICYCLE LANES (EASTBOUND) - ESTABLISH
14th Street, from Market Street to Dolores Streets.

TOW-AWAY LANE MUST TURN RIGHT - ESTABLISH
Broadway, south side, between Grant Avenue and Columbus Avenue. (Parking and Traffic Department)

(11/30/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3274.)

12/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

From: Supervisor Alioto-Pier

To: City Attorney

Requesting/Inquiring: To draft legislation refining the process for defining and assessing minor sidewalk encroachment fees.

From: Supervisor Daly

To: Director, Planning Department

Requesting/Inquiring: To identify the contradictions in the San Francisco General Plan that require the department to "balance" competing interests and to make a recommendation on how to eliminate those contradictions.

From: Supervisor Mirkarimi

To: General Manager, Public Utilities Commission

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of removing graffiti from:

Southwest corner of Fulton and Webster

831 Fulton

Southwest corner of McAllister and Central

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the status of removing graffiti from stop signs at the following locations:

Northeast corner of Clayton and Grove

Northeast corner of Grove and Cole

All four corners of Grove and Ashbury

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the status of replacing the parking signs on the south side of Oak Street between Clayton and Belvedere.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the status of removing graffiti on the parking signs located at the following locations:

1110 Fulton

19 Clayton

142 Shrader

1943 Grove

2179 Grove

2137 Grove

115 Cole

146 Central

1715 McAllister

1609 McAllister

502 Broderick

Near northwest corner of Scott and Eddy

Near southeast corner of Scott and Turk

All signs south side of Golden Gate Avenue between Gough and

In Memoriams

James Kim (The Entire Board)

Sam D. Freeman (Supervisor Peskin)

Norman Banks Livermore, Jr. (Supervisor Peskin)

Mayor Yvonne Scarlett-Golden (Supervisors Ammiano, Mirkarimi, Maxwell)

Jewel De Bellis (Supervisor Elsbernd)

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:27 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 9, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
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AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

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For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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